

CHAPTER VII.

TRAFFIC REGULATIONS

Section 700 - Traffic Regulations

Section 700:169.01. Definitions.

Subd. 1. Terms. For the purposes of this Chapter, the terms defined in this Section shall have the meanings ascribed to them in the subdivisions which follow.

Subd. 2. Vehicle. Vehicle means every device in, upon, or by which any person or property is or may be transported or drawn upon a highway, except devices moved by human power or used exclusively upon stationary rails or tracks.

Subd. 3. Motor Vehicle. Motor Vehicle means every vehicle which is self-propelled and not deriving its power from overhead wires.

Subd. 4. Motorcycle. Motorcycle means every motor vehicle having a saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground, including motor scooters and bicycles with motor attached, but excluding a tractor.

Subd. 5. Authorized Emergency Vehicle. Authorized Emergency Vehicle means any of the following vehicles when equipped and identified according to law:

- (1) A vehicle of a fire department;
- (2) A publicly owned police vehicle or a privately owned vehicle used by a police officer for police work under agreement, expressed or implied, with the local authority to which he is responsible;
- (3) An ambulance, whether publicly or privately owned;
- (4) An emergency vehicle of a municipal department or a public service corporation, approved by the Commissioner of Public Safety or the Chief of Police of this municipality;
- (5) Any volunteer rescue squad operating pursuant to Chapter 53, Laws 1959.

Subd. 6. School Bus. School Bus means every motor vehicle owned by a public or governmental agency and operated for the transportation of children to or from school or privately owned and operated for compensation for the transportation of children to or from school.

Subd. 7. Truck Tractor. Truck Tractor means every motor vehicle designed and used primarily for drawing other vehicles and not so constructed as to carry a load other than a part of the weight of the vehicle and load so drawn.

Subd. 8. Farm Tractor. Farm Tractor means every motor vehicle designed and used primarily as a farm implement for drawing plows, mowing machines, and other implements of husbandry.

Subd. 9. Road Tractor. Road Tractor means every motor vehicle designed and used for drawing other vehicles and not so constructed as to carry any load thereon either independently or any part of the weight of a vehicle or load so drawn.

Subd. 10. Trailer. Trailer means every vehicle without motive power designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that no part of its weight rests upon the towing vehicle.

Subd. 11. Semi-Trailer. Semi-Trailer means every vehicle without motive power designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that some part of its weight and that of its load rests upon or is carried by another vehicle.

Subd. 12. Pneumatic Tire. Pneumatic Tire means every tire in which compressed air is designed to support the load.

Subd. 13. Solid Tire. Solid Tire means every tire of rubber or other resilient material which does not depend upon compressed air for the support of the load.

Subd. 14. Metal Tire. Metal Tire means every tire the surface of which in contact with the highway is wholly or partly of metal or other hard non-resilient material.

Subd. 15. Railroad. Railroad means a carrier of persons or property upon cars, other than street cars, operated upon stationary rails.

Subd. 16. Railroad Train. Railroad Train means a steam engine, electric or other motor, with or without cars coupled thereto, operated upon rails, except street cars.

Subd. 17. Street Car. (Space Reserved)

Subd. 18. Trackless Trolley Car. Trackless Trolley Car means every vehicle which is propelled by electric power obtained from overhead trolley wires, but not operated on rails.

Subd. 19. Explosives. Explosives means any chemical compound or mechanical mixture that is commonly used or intended for the purpose of producing an explosion and which contains any oxidizing and combustible units or other ingredients in such proportions, quantities, or packing that an ignition by fire, by friction, by concussion, by percussion, or by detonator of any part of the compound or mixture may cause such a sudden generation of highly heated gases that the resultant gaseous pressures are capable of producing destructible effects on contiguous objects or of destroying life or limb.

Subd. 20. Flammable Liquid. Flammable Liquid means any liquid which has a flash point of 70 degrees Fahrenheit, or less, as determined by a tagliabue or equivalent closed cup test device.

Subd. 21. Commissioner. Unless stated otherwise, Commissioner means the Commissioner of Highways of this State. Regardless of the Commissioner referred to, however, he is to be considered as acting directly or through his duly authorized officers and agents.

Subd. 22. Department. Unless stated otherwise, Department means the Department of Highways of this State. Regardless of the Department referred to, however, it is to be considered as acting directly or through its duly authorized officers and agents.

Subd. 23. Person. Person means every natural person, firm, co-partnership, association or corporation.

Subd. 24. Pedestrian. Pedestrian means any person afoot.

Subd. 25. Driver. Driver means every person who drives, operates or is in actual physical control of a vehicle.

Subd. 26. Owner. Owner means a person who holds the legal title of a vehicle, or in the event a vehicle is the subject of an agreement for the conditional sale or lease thereof with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee, or in the event a mortgagor of a vehicle is entitled to possession, then such conditional vendee or lessee or mortgagor shall be deemed the owner for the purpose of this Chapter.

Subd. 27. Police Officer. Police Officer means every officer authorized to direct or regulate traffic or to make arrests for violations of traffic regulations.

Subd. 28. Local Authorities. Local Authorities means every county, municipal and other local board or body having authority to adopt local police regulations under the constitution and laws of this State, and the Regents of the University of Minnesota, with reference to property owned, leased, or occupied by the Regents of the University of Minnesota, or the University of Minnesota.

Subd. 29. Street or Highway. Street or Highway means the entire width between boundary lines of any way or place when any part thereof is open to the use of the public, as a matter of right, for the purposes of vehicular traffic in this municipality, including, but not limited to alleys and alleyways.

Subd. 30. Private Road or Driveway. Private Road or Driveway means every way or place in this municipality in private ownership and used for vehicular travel by the owner and those having express or implied permission from the owner, but not by other persons.

Subd. 31. Roadway. Roadway means that portion of a street or highway in this municipality, improved, designed, or ordinarily used for vehicular travel. In the event a street or a highway includes two or more separate roadways, the term "roadway" as used herein shall refer to any such roadway separately, but not to all such roadways collectively.

Subd. 32. One-Way Roadway. One-Way Roadway means a street or roadway in this municipality, designated and sign-posted for one-way traffic and on which all vehicles are required to move in one direction.

Subd. 33. Sidewalk. Sidewalk means that portion of a street or highway between the curb lines, or the lateral lines of a roadway, and the adjacent property lines intended for the use of pedestrians, in this municipality.

Subd. 34. Laned Highway. Laned Highway means a street or highway in this municipality, the roadway of which is divided into two or more clearly marked lines for vehicular traffic.

Subd. 35. Through Highway. Through Highway means every street or highway in this municipality or portion thereof at the entrances to which vehicular traffic from intersecting highways is required by law to stop before entering or crossing the same and when stop signs are erected as provided in this Chapter.

Subd. 36. Intersection. Intersection means

- (a) the area embraced within the prolongation or connection of the lateral curb lines, or, if none, then the lateral boundary lines of the roadways of two highways which join one another at or approximately at, right angles or the area within which vehicles traveling upon different highways joining at any other angle may come in conflict.
- (b) where a highway includes two roadways 30 feet or more apart, then every crossing of each roadway of such divided highway by an intersecting highway shall be regarded as a separate intersection. In the event such intersecting highway also includes two roadways 30 feet or more apart, then every crossing of two roadways of such highways shall be regarded as a separate intersection.

Subd. 37. Crosswalk. Crosswalk means

- (a) that portion of a roadway ordinarily included with the prolongation or connection of the lateral lines of sidewalks at intersections;
- (b) any portion of a roadway distinctly indicated for pedestrian crossing by lines or other markings on the surface.

Subd. 38. Safety Zone. Safety Zone means the area or space officially set apart within a roadway for the exclusive use of pedestrians and which is protected or is so marked or indicated by adequate signs as to be plainly visible at all times set apart as a safety zone.

Subd. 39. Business District. Business District means the territory contiguous to and including a highway when 50 per cent or more of the frontage thereon for a distance of 300 feet or more is occupied by buildings in use for business.

Subd. 40. Residence District. Residence District means the territory contiguous to and including a highway not comprising a business district when the property on such highway for a distance of 300 feet or more is in the main improved with residences or residences and buildings in use for business.

Subd. 41. Official Traffic Control Devices. Official Traffic Control Devices means all signs, signals, markings and devices not inconsistent with the Highway Traffic Regulation Act and this Chapter VII. placed or erected by authority of a public body or official having jurisdiction, for the purpose of regulating, warning, or guiding traffic.

Subd. 42. Traffic Control Signal. Traffic Control Signal means any device, whether manually, electrically or mechanically operated, by which traffic is alternately directed to stop and permitted to proceed.

Subd. 43. Railroad Sign or Signal. Railroad Sign or Signal means any sign, signal, or device erected by authority of a public body or official or by a railroad and intended to give notice of the presence of railroad tracks or the approach of a railroad train.

Subd. 44. Traffic. Traffic means pedestrians, ridden or herded animals, vehicles, street cars and other conveyances, either singly or together, while using any street or highway for purposes of travel.

Subd. 45. Right of Way. Right of Way means the privilege of the immediate use of highway.

Subd. 46. Gross Weight. Gross Weight means the unloaded weight of a vehicle or the unloaded weight of a truck-tractor and semi-trailer combination, plus the weight of the load.

Subd. 47. Custom Service Vehicles. Custom Service Vehicles means all vehicles used as well-drilling machine, wood-sawing machine, cement mixer, rock crusher, road grader, ditch digger, or elevating grader and similar service equipment.

Subd. 48. Motor Vehicle Dealer. Motor Vehicle Dealer means any person engaged in the business of manufacturing or selling new and unused motor vehicles, or used motor vehicles, or both, having an established place of business for the sale, trade, and display of such motor vehicles and having in his possession motor vehicles for the purpose of sale or trade.

Subd. 49. Truck or Commercial Vehicle. Truck or Commercial Vehicle means every motor vehicle designed, used or maintained primarily for the transportation of property.

Subd. 50. Bus. Bus means every motor vehicle designed for carrying more than ten passengers and used for the transportation of persons, and every motor vehicle other than a taxicab designed and used for the transportation of persons for compensation.

Subd. 51. Bicycle. Bicycle means every device propelled by human power upon which any person may ride, having two tandem wheels either of which is over 20 inches in diameter, and including any device generally recognized as a bicycle though equipped with two front or rear wheels.

Subd. 52. Wrecker. Wrecker means a motor vehicle having a gross vehicle weight of 8,000 pounds or more, equipped with a crane and winch and further equipped to control the movement of the towed vehicle.

Subd. 53. Bug Deflector. Bug Deflector means a non-illuminated, transparent device, attached to the hood of a motor vehicle so as to deflect the air stream.

Subd. 54. Controlled Access Highway. Controlled Access Highway means every highway, street or roadway in respect to which the right of access of the owners or occupants of abutting lands and other persons has been acquired and to which the owners or occupants of abutting lands and other persons have no legal right of access to or from the same, except at such points only and in such manner as may be determined by the public authority having jurisdiction over such highway, street or roadway.

Subd. 55. Implement of Husbandry. Implement of Husbandry means every vehicle designed and adapted exclusively for agricultural, horticultural, or livestock-raising operations or for lifting or carrying an implement of husbandry and in either case not subject to registration if used upon the highways.

Subd. 56. Stand or Standing. Stand or Standing means the halting of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in receiving or discharging passengers.

Subd. 57. Stop. Stop means complete cessation from movement.

Subd. 58. Stopping. Stopping means any halting even momentarily of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a Police Officer or traffic control sign or signal.

Subd. 59. Urban District. Urban District means the territory contiguous to and including any street which is built up with structures devoted to business, industry, or dwelling houses situated at intervals of less than 100 feet for a distance of a quarter of a mile or more.

Subd. 100. This State. This State means the State of Minnesota.

Subd. 101. This Municipality. This Municipality means the local authority which has adopted these traffic regulations and the area under its jurisdiction.

Subd. 102. Highway Traffic Regulation Act. Highway Traffic Regulation Act means the Highway Traffic Regulation Act of the State of Minnesota, which citation is established in Section 169.97, Minnesota Statutes.

Subd. 103. Alley or Alleyway. Alley or Alleyway means every travelway which is used primarily for vehicle service access to the back or the side of properties abutting on a street.

Subd. 104. Curb Loading Zone. Curb Loading Zone means a space adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers or materials.

Subd. 105. Freight Curb Loading Zone. Freight Curb Loading Zone means a space adjacent to a curb for the exclusive use of vehicles during the loading or unloading of freight.

Subd. 106. Official Time Standard. Official Time Standard means whenever certain hours are named herein this Chapter, they shall mean standard time or daylight-saving time as may be in current use in this municipality.

Subd. 107. Park or Parking. Park or Parking means the standing of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of, while actually engaged in, loading or unloading merchandise or passengers.

Subd. 108. Bus Stop, Taxi Stand or Passenger Curb Loading Zone. Bus Stop, Taxi Stand or Passenger Curb Loading Zone means a place adjacent to a curb reserved for the exclusive use of vehicles during the loading or unloading of passengers.

Subd. 109. Traffic Division. Traffic Division means the Traffic Division of the Police Department of this municipality, or in the event a Traffic Division is not established, then said term whenever used herein shall be deemed to refer to the Police Department of this municipality.

Subd. 110. Council, Chief of Police, Administrator, Engineer, etc. Council, Chief of Police, Administrator, Engineer or any other designation of a municipal employee shall mean the employee of this municipality charged with the responsibility of fulfilling the duty or function mentioned.

Subd. 111. Fire Lane. Fire Lane means any roadway and lands adjacent thereto, necessarily required to be kept clear to permit unimpeded access by Fire Department personnel, equipment and vehicles to exits, entrances, hydrants, stand pipes and other facilities, when duly designated and signs posted.

Subd. 112. Private Parking Lot. Private Parking Lot means an area not dedicated to municipal or public use which is made available and equipped by the owner thereof for parking of motor vehicles by the public or by persons visiting or having business on the owner's premises.

Section 700:169.02. Scope.

Subd. 1. The provisions of this Chapter relating to the operation of vehicles refer exclusively to the operation of vehicles upon the streets and highways of this municipality, except:

- (a) Where a different place is specifically referred to in a given section.
- (b) The provisions of Sections 169.09 to 169.13 of the Highway Traffic Regulation Act, with respect to accidents and reports thereof, shall apply upon streets or highways and elsewhere throughout this municipality.

Subd. 2. No person shall wilfully fail or refuse to comply with any lawful order or direction of any peace officer invested by law with authority to direct, control or regulate traffic. Violation of this subdivision shall be a penal offense.

Section 700:169.03. Application.

Subd. 1. The provisions of this Chapter applicable to the drivers of vehicles upon the streets or highways in this municipality shall apply to the drivers of all vehicles owned or operated by the United States, this State or any county, city, town, district or any other political subdivision of the State, subject to such specific exemptions as are set forth in this Chapter with reference to authorized emergency vehicles.

Subd. 2. The driver of any authorized emergency vehicle, when responding to an emergency call, upon approaching a red or stop signal or any stop sign, shall slow down as necessary for safety, but may proceed cautiously past such red or stop sign or signal after sounding siren and displaying red lights.

Subd. 3. The driver of any authorized emergency vehicle, when responding to any emergency call, may enter against the run of traffic on any one-way street or highway where there is authorized division of traffic, to facilitate traveling to the area in which an emergency has been reported.

Subd. 4. An authorized emergency vehicle, when at the scene of a reported emergency, may park or stand, notwithstanding any law or ordinance to the contrary.

Subd. 5. No driver of any authorized emergency vehicle shall assume any special privilege under this Chapter except when such vehicle is operated in response to any emergency call or in the immediate pursuit of an actual or suspected violator of the law.

Subd. 6. The provisions of this Chapter shall not apply to persons, teams, motor vehicles and other equipment while actually engaged in work upon the roadway of a street or highway, but shall apply to such persons and vehicles when traveling to or from such work.

Subd. 8. Every person riding a bicycle or an animal or driving any animal drawing a vehicle upon a street or highway shall be subject to the provisions of this Chapter applicable to the driver of a vehicle, except those provisions which by their nature can have no application.

Subd. 10. State Driver's License Required. No person shall operate or drive any motor vehicle upon any street or highway in this municipality unless such person has a valid license as a driver under the provisions of Chapter 171, Minnesota Statutes, except those persons expressly exempted by said Chapter.

Subd. 11. Driver's License in Possession. No person shall drive or operate a vehicle upon any street in this municipality without having in his possession, as now required by the laws of the State of Minnesota, a valid driver's license or chauffeur's license.

Subd. 12. Vehicle Ownership. No person shall drive a motor vehicle belonging to another without the owner's consent.

Section 700:169.04. Signs and Signals, Funeral Escorts. No ordinance or regulation of this municipality designating particular streets or highways as one-way roadways and requiring that all vehicles, except emergency vehicles, when on an emergency run, thereon be moved in one specific direction; or designating any highway as a through highway and requiring that all vehicles stop before entering or crossing the same; or designating any intersection as a stop intersection, and requiring all vehicles to stop at one or more entrances to such intersections; or restricting the use of highways as authorized in Sections 169.80 to 169.88 of the Highway Traffic Regulation Act, shall be effective until signs giving notice of such traffic regulations are posted upon and kept posted upon or at the entrance to the highway or part thereof affected as may be most appropriate. No ordinance or regulation of this municipality shall prohibit the use of motorcycles utilizing flashing red lights for the purpose of escorting funeral processions, oversize buildings, heavy equipment, parades or similar processions or assemblages upon streets or highways.

Section 700:169.05. Private Roadways. Nothing in this Chapter shall be construed to prevent the owner of real property used by the public for purposes of vehicular travel by permission of the owner and not as a matter of right, from prohibiting such use, or from requiring other or different or additional conditions than those specified in this Chapter, or otherwise regulating such use as may seem best to such owner.

Section 700:169.06. Signs, Signals, Markings.

Subd. 1. State Manual and Specifications. The manual and specifications for traffic control devices, adopted by the Commissioner pursuant to and consistent with the Highway Traffic Regulation Act and correlated and conforming so far as possible to the system of the American Association of Highway Officials, shall hereinafter be referred to as the "State Manual and Specifications."

Subd. 2. Placement and Maintenance of Trunk Highways. The Commissioner may place and maintain such official traffic-control devices, conforming to the State Manual and Specifications, upon such State trunk highways in this municipality as he shall deem necessary to indicate and to carry out the provisions of the Highway Traffic Regulation Act or to regulate, warn or guide traffic. The Commissioner may construct and maintain signs at the entrances of this municipality which signs shall have placed thereon, the name of this municipality and the population thereof. The Commissioner may construct and maintain other directional signs upon the trunk highways and such signs shall be uniform. The Commissioner may authorize variations from the manual and specifications for the purpose of investigation and research into the use and development of traffic control devices. When such authorized variations pertain to the regulation of traffic, notice of the intended regulatory purpose shall be published in a qualified newspaper of general circulation in the area where the research is being conducted.

No other person or local authority shall place or maintain any traffic-control device upon any highway under the jurisdiction of the Commissioner except by the latter's permission.

Subd. 3. Placement and Maintenance by Local Authorities. The Council, and other local authorities in their respective jurisdictions, shall place and maintain such official traffic-control devices upon streets or highways under their jurisdiction as they may deem necessary to regulate, warn or guide traffic. The Engineer shall place and maintain traffic-control signs, signals and devices, when and as required by ordinance resolution, or motion of the Council under the traffic ordinances of this municipality, in order to make effective the provisions of said ordinances. All such traffic control signs, signals and devices shall conform to the State Manual and Specifications or to special requirements adopted by the Council. All signs and signals required hereunder for a particular purpose shall be uniform as to type and location throughout the municipality to the extent practicable. All traffic-control devices erected hereunder and not inconsistent with the provisions of State law or this ordinance shall be official traffic-control devices.

Subd. 4. Obedience to and Required Traffic-Control Devices.

- (a) The driver of any vehicle shall obey the instructions of any official traffic-control device applicable thereto placed in accordance with the provisions of this Chapter, unless otherwise directed by a traffic or police officer, subject to the exceptions granted the driver of an authorized emergency vehicle in this Chapter.
- (b) No provision of this Chapter for which official traffic-control devices are required shall be enforced against an alleged violator if at the time and place of the alleged violation an official device is not in proper position and sufficiently legible to be seen by an ordinarily observant person. Whenever a particular section does not state that official traffic-control devices are required, such section shall be effective even though no devices are erected or in place.
- (c) Whenever official traffic-control devices are placed in position approximately conforming to the requirements of this Chapter, such devices shall be presumed to have been so placed by the official act or direction of lawful authority, unless the contrary shall be established by competent evidence.
- (d) Any official traffic-control device placed pursuant to the provisions of this Chapter and purporting to conform to the lawful requirements pertaining to such devices shall be presumed to comply with the requirements of this Chapter, unless the contrary shall be established by competent evidence.

Subd. 5. Traffic-Control Signals. Whenever traffic is controlled by traffic-control signals exhibiting different colored lights, or colored lighted arrows, successively, one at a time or in combination, only the colors, Green, Red and Yellow shall be used, except for special pedestrian signals, carrying a word legend, and said lights shall indicate and apply to drivers of vehicles and pedestrians as follows:

(a) Green Indication.

- (1) Vehicular traffic facing a circular green signal may proceed straight through or turn right or left unless a sign at such place prohibits either such turn, but vehicular traffic, including vehicles turning right or left, shall yield the right of way to other vehicles and to pedestrians lawfully within the intersection or adjacent crosswalk at the time such signal is exhibited.
- (2) Vehicular traffic facing a green arrow signal, shown alone or in combination with another indication, may cautiously enter the intersection only to make the movement indicated by such arrow, or such other movement as is permitted by other indications shown at the same time. Such vehicular traffic shall yield the right of way to pedestrians lawfully within an adjacent crosswalk and to other traffic lawfully using the intersection.
- (3) Unless otherwise directed by a pedestrian-control signal as provided in Subdivision 6 of this Section, pedestrians facing any green signal, except when the sole green signal is a turn arrow, may proceed across the roadway within any marked or unmarked crosswalk.

(b) Steady Yellow Indication.

- (1) Vehicular traffic facing a circular yellow signal is thereby warned that the related green movement is being terminated or that a red indication will be exhibited immediately thereafter when vehicular traffic shall not enter the intersection, except for the continued movement allowed by any green arrow indication simultaneously exhibited.
- (2) Pedestrians facing a circular yellow signal, unless otherwise directed by a pedestrian-control signal as provided in Subdivision 6 of this Section, are thereby advised that there is insufficient time to cross the roadway before a red indication is shown and no pedestrian shall then start to cross the roadway.
- (3) Vehicular traffic facing a steady yellow arrow signal is thereby warned that the protected vehicular movement permitted by the corresponding prior green arrow indication is being terminated.

(c) Steady Red Indication.

- (1) Vehicular traffic facing a circular red signal alone shall stop at a clearly marked stop line, but if none, shall stop before entering the crosswalk on the near side of the intersection or if none, then shall stop before entering the intersection and shall remain standing until a green indication is shown, except as follows: The driver of a

vehicle which is stopped as close as practicable at the entrance to the crosswalk on the near side of the intersection or, if none, then at the entrance to the intersection in obedience to a red or stop signal, and with the intention of making a right turn may make such right turn, after stopping, unless an official sign has been erected prohibiting such movement, but shall yield the right of way to pedestrians and other traffic lawfully proceeding through the intersection.

- (2) Unless otherwise directed by a pedestrian-control signal as provided in Subdivision 6 of this Section, pedestrians facing a steady red signal alone shall not enter the roadway.
- (3) Vehicular traffic facing a steady red arrow signal, with the intention of making a movement indicated by the arrow, shall stop at a clearly marked stop line but if none, before entering the crosswalk on the near side of the intersection, or if none, then before entering the intersection and shall remain standing until a permissive signal indication is displayed.
- (d) In the event an official traffic-control signal is erected and maintained at a place other than an intersection, the provisions of this Section are applicable except those which can have no application. Any stop required shall be made at a sign or marking on the pavement indicating where the stop shall be made, but in the absence of any such sign or marking the stop shall be made at the signal.
- (e) When a traffic-control signal indication or indications placed to control a certain movement or lane are so identified by placing a sign near the indication or indications, no other traffic-control signal indication or indications within the intersection shall control vehicular traffic for such movement or lane.

Subd. 6. Pedestrian-Control Signals. Whenever special pedestrian-control signals exhibiting the words "Walk" or "Don't Walk" are in place such signals shall indicate as follows:

- (a) "Walk" - flashing or steady - pedestrians facing such signals may proceed across the roadway in the direction of the signal and shall be given the right of way by the drivers of all vehicles.
- (b) "Don't Walk" - flashing or steady - no pedestrian shall start to cross the roadway in the direction of such signals, but any pedestrian who has partially completed his crossing on the "Walk" signal shall proceed to a sidewalk or safety island while the "Don't Walk" signal is showing.

Subd. 7. Flashing Signals. When flashing red or yellow signals are used, they shall require obedience by vehicular traffic, as follows:

- (1) When a circular red lens is illuminated with rapid intermittent flashes, drivers of vehicles shall stop at a clearly marked stop line, but if none, shall stop before entering the crosswalk on the near side of the intersection, or if none, then shall stop at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway before entering the intersection, and the right to proceed shall be subject to the rules applicable after making a stop at a stop sign.
- (2) When a red arrow lens is illuminated with rapid intermittent flashes, drivers of vehicles with the intention of making a movement indicated by the arrow shall stop at a clearly marked stop line, but if none, shall stop before entering the crosswalk on the near side of the intersection, or if none, then shall stop at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway before entering the intersection, and the right to proceed shall be subject to the rules applicable after making a stop at a stop sign.
- (3) When a circular yellow lens is illuminated with rapid intermittent flashes, drivers of vehicles may proceed through the intersection or past the signals only with caution.
- (4) When a yellow arrow indication is illuminated with rapid intermittent flashes, drivers of vehicles with the intention of making a movement indicated by the arrow may proceed through the intersection or past the signals only with caution.

Subd. 8. Lane Direction Control Signals. When lane direction control signals are placed over individual lanes of a street or highway, vehicular traffic may travel in lanes as follows:

- (a) Vehicular traffic facing a green arrow indication is permitted to drive in the lane over which the arrow signal is located.
- (b) Vehicular traffic facing a red "X" indication shall not drive in the lane over which the signal is located.
- (c) Vehicular traffic facing a steady yellow "X" indication is thereby warned that use of the lane over which the signal is located is being terminated, or that a red "X" indication will be exhibited immediately thereafter when vehicular traffic shall not drive in the lane.
- (d) Vehicular traffic facing a yellow "X" indication illuminated with rapid intermittent flashes is permitted to use a lane over which the signal is located for a left turn or for a passing maneuver using proper caution.

Section 700:169.07. Unauthorized Signs. No person shall place, maintain, or display upon or in view of any street or highway any unauthorized sign, signal, marking or device which purports to be or is an imitation of or resembles an

official traffic-control device or railroad sign or signal, or which attempts to direct the movement of traffic, or which hides from view or interferes with the effectiveness of any official traffic-control device or any railroad sign or signal, and no person shall place or maintain, nor shall any public authority permit, upon any street or highway any traffic sign or signal bearing thereon any commercial advertising. This shall not be deemed to prohibit the erection upon private property adjacent to streets or highways of signs giving useful directional information and of a type that cannot be mistaken for official signs.

Every such prohibited sign, signal or marking on streets or highways under the jurisdiction of this municipality is hereby declared to be a public nuisance and the Administrator, Engineer, or Chief of Police of this municipality and such municipal employees as any of them may direct are hereby empowered to remove the same or cause it to be removed without notice.

Section 700:169.073. Red Lights Forbidden. No person or corporation shall place, maintain or display any red light or red sign, signal or lighting device or maintain the same in view of any street or highway or any line of railroad on or over which trains are operated in such a way as to interfere with the effectiveness of efficiency of any official traffic-control device or any signals or devices used in the operation of a railroad. Upon written notice from the Commissioner of Highways, or the appropriate municipal employees, such person or corporation maintaining or owning or displaying said prohibited light shall promptly remove the same or change the color thereof to some other color than red.

No person or corporation shall maintain or display any such light after written notice thereof from this municipality or the Commissioner of Highways or the Minnesota Department of Public Service that such light constitutes a traffic hazard and has ordered the removal thereof.

Section 700:169.08. Unlawful to Alter, Deface or Remove Signs. No person shall, without lawful authority, attempt to or in fact alter, deface, injure, knock down, or remove any official traffic-control device or any railroad sign or signal or any inscription, shield, or insignia thereon, or any other part thereof.

Section 700:169.09. Accidents.

Subd. 1. Driver to Stop. The driver of any vehicle involved in an accident resulting in injury to or death of any person shall immediately stop the vehicle at the scene of the accident, or as close thereto as possible, but shall then return to and in every event, shall remain at, the scene of the accident until he has fulfilled the requirements of this Chapter as to the giving of information. The stop shall be made without unnecessarily obstructing traffic.

Subd. 2. Driver to Stop. The driver of any vehicle involved in an accident to a vehicle which is driven or attended by any person shall immediately stop such vehicle at the scene of such accident, or as close thereto as possible, but shall forthwith return to, and in every event shall remain at, the scene of the accident until he has fulfilled the requirements of this Chapter as to the giving of information. Every such stop shall be made without obstructing traffic more than is necessary.

Subd. 3. Driver to Give Information. The driver of any vehicle involved in an accident resulting in injury to or death of any person, or damage to any vehicle which is driven or attended by any person, shall stop and give his name, address, and the registration number of the vehicle he is driving, and shall, upon request and if available, exhibit his driver's or chauffeur's license to the person struck or the driver or occupant of or person attending any vehicle collided with, and shall render reasonable assistance to any person injured in such accident.

Subd. 4. Collision with Unattended Vehicle. The driver of any vehicle which collides with and damages any vehicle which is unattended shall immediately stop and either locate and notify the driver or owner of the vehicle of the name and address of the driver and owner of the vehicle striking the unattended vehicle, shall report the same to a police officer, or shall leave in a conspicuous place in the vehicle struck, a written notice giving the name and address of the driver and of the owner of the vehicle doing the striking.

Subd. 5. Notify Owner of Damaged Property. The driver of any vehicle involved in an accident resulting only in damage to fixtures legally upon or adjacent to a street or highway shall take reasonable steps to locate and notify the owner or person in charge of such property of such fact and of his name and address and of the registration number of the vehicle he is driving and shall, upon request and if available, exhibit his driver's or chauffeur's license and make report of such accident when and as required by the provisions of this Chapter.

Subd. 6. Notify Police of Personal Injury. The driver of a vehicle involved in an accident resulting in injury to or death of any person shall, after compliance with the provisions of this Section, by the quickest means of communication, give notice of such accident to the Police Department of this municipality, if the accident occurs within this municipality or to a State Highway Patrol Officer if the accident occurs on a trunk highway, or to the Office of the Sheriff of the County.

Subd. 7. Accident Report to Commissioner. The driver of a vehicle involved in an accident resulting in injury to or death of any person or total property damage to an apparent extent of \$100.00 or more, shall promptly forward a written report of the accident to the Commissioner of Public Safety.

Subd. 8. Officers to Report Accident to the Commissioner. Every law enforcement officer who, in the regular course of duty, investigates a motor vehicle accident of which report must be made as required in this Section, either at the time of and at the scene of the accident or thereafter by interviewing participants or witnesses, shall, within 24 hours after completing such investigation, forward a written report of such accident to the Commissioner of Public Safety.

Subd. 9. Accident Report Forms. The Police Department shall request forms for accident reports from the Department of Public Safety.

Subd. 10. Use of Form Required. Every accident report required to be made in writing shall be made on the appropriate form approved by the Department of Public Safety and contain all of the information required therein unless not available.

Subd. 12. Garages to Report. The person in charge of any garage or repair shop to which is brought any motor vehicle which shows evidence of having been struck by any bullet, shall immediately report to the Police Department of this municipality or Sheriff and to the Commissioner of Public Safety within 24 hours after such motor vehicle is received, giving the engine number, registration and the name and address of the owner or operator of such vehicle.

Subd. 13. Accident Reports Confidential. All accident reports required under this Chapter or the Highway Traffic Regulation Act, and supplemental reports shall be without prejudice to the individual so reporting and shall be for the confidential use of the Department of Public Safety for accident prevention purposes, except that the Department of Public Safety or any law enforcement department of any municipality or county having jurisdiction in this municipality shall, upon written request of any person involved in an accident or upon written request of the representative of his estate, his surviving spouse, or one or more of his surviving next of kin, or a trustee appointed pursuant to Minnesota Statutes, Section 573.02, disclose to such requester, his legal counsel or a representative of his insurer, any information contained therein, except the parties' version of the accident as set forth in the written report filed by such parties. No such report shall be used as evidence in any trial, civil or criminal, arising out of an accident, except that the Department of Public Safety shall furnish upon the demand of any person who has, or claims to have, made such a report, or, upon demand of any court, a certificate showing that a specified accident report has or has not been made to the Department of Public Safety solely to prove compliance or failure to comply with the requirements that such report be made to the Department of Public Safety. Disclosing any information contained in any accident report, except as provided herein is unlawful and a penal offense.

Nothing herein shall be construed to prevent any person who has made a report pursuant to this Chapter from testifying in any trial, civil or criminal, arising out of an accident, as to facts within his knowledge. It is intended by this subdivision to render privileged the reports required, but it is not intended to prohibit proof of the facts to which such reports relate. Legally qualified newspaper publications shall upon request to a law enforcement agency be given an oral statement covering only the time and place of the accident, the names and addresses of the parties involved, and a general statement as to how the accident happened without attempting to fix liability upon anyone, but said legally qualified newspaper publication shall not be given access to the hereinbefore mentioned confidential reports, nor shall any such statements or information so orally given be used as evidence in any court proceeding, but shall merely be used for the purpose of a proper publication of the news.

Subd. 14. Penalty. Any person failing to comply with any of the requirements of this Section, under the circumstances specified, shall be guilty of a penal offense.

Section 700:169.121. Intoxication; Preliminary Screening.

Subd. 1. It shall be a penal offense for any person described in clauses (a), (b), (c) or (d) to drive, operate, or be in actual physical control of any vehicle within this municipality:

- (a) A person who is under the influence of an alcoholic beverage or narcotic drug;
- (b) A person who is an habitual user of narcotic drugs;
- (c) A person who is under the influence of a combination of any two or more of the elements named in Subsection (a) and (b) hereof;
- (d) A person whose blood contains 0.10 per cent or more by weight of alcohol.

When a police officer has reason to believe from the manner in which a driver is driving, operating, or actually controlling, or has driven, operated, or actually controlled, a vehicle that such driver may be violating this subdivision he may require the driver to provide a sample of his breath for an immediate preliminary screening test or analysis before an arrest is made, using a device approved by the Commissioner for this purpose. The results of such a preliminary screening test or analysis shall be used only for the purpose of guiding the officer in deciding whether an arrest should be made, and shall not be used as evidence in any court action.

The driver of any motor vehicle shall furnish such a sample of his breath when required to do so. The provisions of Minnesota Statutes, Section 169.123, shall apply to any driver who refuses to furnish a sample of his breath; provided that the license or permit of a driver shall not be revoked pursuant to Minnesota Statutes, Section 169.123, Subdivision 4, for refusal to provide a sample of his breath for preliminary screening purposes, if he submits to a blood, breath or urine test to determine the alcoholic content of his blood pursuant to Section 700:169.123, Subdivision 2. Another test may be required of the driver following the screening test pursuant to the provisions of this Chapter, which shall be admissible evidence in accordance therewith.

Nothing in this subdivision authorizing such preliminary screening test or analysis shall be construed as changing, limiting or otherwise modifying the procedures, safeguards, and other provisions of Sections 700:169.121 to 700:169.123 or ordinances in conformity therewith.

The provisions of this subdivision apply, but are not limited in application, to any person who drives, operates or who is in actual physical control of any vehicle in the manner prohibited by this subdivision upon the ice of any lake, stream or river, including, but not limited to the ice of any boundary water.

Subd. 2. Upon the trial of any prosecution arising out of acts alleged to have been committed by any person arrested for driving, operating or in actual physical control of a motor vehicle in violation of subparagraphs (a), (c), or (d) of Subdivision 1 hereof, the Court may admit evidence

of the amount of alcohol in the persons blood, breath or urine as shown by a medical or chemical analysis thereof; if said test is taken voluntarily or pursuant to Section 700:169.123.

For the purposes of this Subdivision:

- (a) Evidence that there was at the time 0.05 per cent or less by weight of alcohol in the person's blood is prima facie evidence that such person was not under the influence of an alcoholic beverage;
- (b) Evidence that there was at the time more than 0.05 per cent and less than 0.10 per cent by weight of alcohol in the person's blood is relevant evidence, but it is not to be given prima facie effect in indicating whether or not the person was under the influence of an alcoholic beverage.

The foregoing provisions shall not be construed as limiting the introduction of any other competent evidence bearing upon the question whether or not such person was under the influence of an alcoholic beverage.

For the purposes of this Section, an "alcoholic beverage" means any liquid containing more than one-half of one per cent of alcohol by volume.

For the purposes of this Section "per cent by weight of alcohol" shall be defined as the number of grams of alcohol per 100 milliliters of blood.

Subd. 3. Every person who is convicted of a violation of this Section shall be punishable by imprisonment of not less than ten (10) days nor more than ninety (90) days, or by a fine of not less than Ten Dollars (\$10.00) nor more than Three Hundred Dollars (\$300.00), or both, and his driver's license shall be revoked for not less than thirty (30) days, except that every person who is convicted of a violation of this Section, when such violation is found to be the proximate cause of grievous bodily injury or death to another person, shall be punished by imprisonment for not less than sixty (60) days nor more than ninety (90) days, or by a fine of not more than \$300.00 or both, and his driver's license shall be revoked for not less than ninety (90) days.

Subd. 4. Every person who is convicted of a violation of this Section within three years of any previous conviction under this Section shall be punished by imprisonment for not less than ten (10) days nor more than ninety (90) days, and his driver's license shall be revoked for not less than ninety (90) days.

Subd. 5. Whenever a person is charged with a violation of this Section within three (3) years of a previous conviction hereunder, and he shall forfeit his bail, it shall be the duty of the prosecuting officer to immediately apply to the court for a bench warrant, and thereupon the court shall forthwith issue a warrant for the arrest of the accused.

Subd. 6. The court may stay imposition or execution of any sentence authorized by Subdivision 3 or 4 of this Section upon a medical recommendation and on the condition that the convicted person submit to medical

treatment in a suitable public or private institution. A stay of imposition or execution shall be in the manner provided in Minnesota Statutes, Section 609.135. The court shall report to the Commissioner any stay of execution of sentence granted under the provisions of this Section.

Section 700:169.122. Open Bottle Law, Penalty.

Subd. 1. No person shall drink or consume intoxicating liquors or non-intoxicating malt liquors in any motor vehicle when such vehicle is upon a public street or highway.

Subd. 2. No person shall have in his possession on his person while in a private motor vehicle upon a street or public highway, any bottle or receptacle containing intoxicating liquor or non-intoxicating malt liquor which has been opened, or the seal broken, or the contents of which have been partially removed.

Subd. 3. It shall be unlawful for the owner of any private motor vehicle or the driver, if the owner be not then present in the motor vehicle, to keep or allow to be kept in a motor vehicle when such vehicle is upon the public street or highway, any bottle or receptacle containing intoxicating liquors or non-intoxicating malt liquors which has been opened, or the seal broken, or the contents of which have been partially removed except when such bottle or receptacle shall be kept in the trunk of the motor vehicle when such vehicle is equipped with a trunk, or kept in some other area of the vehicle not normally occupied by the driver or passengers, if the motor vehicle is not equipped with a trunk. A utility compartment or glove compartment shall be deemed to be within the area occupied by the driver and passengers.

Subd. 4. Whoever violates the provisions of Subdivision 1 to 3 is guilty of a penal offense.

Section 700:169.123. Chemical Tests for Intoxication.

Subd. 1. Peace Officer Defined. For the purposes of this ordinance the term Peace Officer means a State Highway Patrol Officer or full time Police Officer of any municipality or county having satisfactorily completed a prescribed course of instruction in a school for instruction of persons in law enforcement conducted by the University of Minnesota or a similar course considered equivalent by the Commissioner of Public Safety.

Subd. 2. Implied Consent, Conditions, Election as to Type of Test. Any person who drives or operates a motor vehicle upon the public streets or highways of this municipality shall be deemed to have given consent, subject to the provisions of this ordinance and Minnesota Statutes, Sections 169.123 and 169.121, Subd. 2, to a chemical test of his blood, breath or urine for the purpose of determining the alcoholic content of his blood. The test shall be administered at the direction of a Peace Officer. The test may be administered when the Officer has reasonable and probable grounds to believe that a person was driving or operating a motor vehicle while said person was under the influence of an alcoholic beverage, and one of the following conditions

exist: (1) the said person has been lawfully placed under arrest for alleged commission of the said described offense in violation of Section 700:169.121 of this Chapter, being an ordinance in conformity with Minnesota Statutes, Section 169.121; or, (2) the person has been involved in a motor vehicle collision resulting in property damage, personal injury, or death. The test may also be administered when the Officer has reason to believe that a person was driving or operating a motor vehicle in violation of Section 700:169.121 and the person has either refused to take the preliminary screening test provided for by Section 700:169.121, Subdivision 1, or such preliminary screening test was administered and recorded a blood alcohol level of .10 per cent or more by weight of alcohol. Any person may decline to take a direct blood test and elect to take either a breath, or urine test, whichever is available, in lieu thereof, and either a breath or urine test shall be made available to the arrested person who makes such an election. No action shall be taken against the person for declining to take a direct blood test unless either a breath or urine test was available. At the time the Peace Officer requests such chemical test specimen, he shall inform the arrested person that his right to drive may be revoked or denied if he refuses to permit the test and that he has the right to have additional tests made by a person of his own choosing.

Subd. 3. Manner of Making Test; Additional Tests. Only a physician, medical technician, registered nurse, medical technologist, or laboratory assistant acting at the request of a Peace Officer may withdraw blood for the purpose of determining the alcoholic content therein. This limitation shall not apply to the taking of a breath or urine specimen. The person tested shall have the right to a physician, a medical technician, medical technologist, laboratory assistant, or registered nurse of his own choosing administer a chemical test or tests in addition to any administered at the direction of a Peace Officer; provided, that the additional test specimen on behalf of said person be obtained at the place where such person is in custody and at no expense to the State or this municipality. Said person shall have the right to immediately communicate with his attorney, doctor or any other person in order to secure a physician, medical technician, medical technologist, laboratory assistant, or registered nurse, for the purpose of administering such additional test or tests, but this shall in no way delay the administering of the test at the direction of the Peace Officer. The failure or inability to obtain an additional test or tests by a person shall not preclude the admission in evidence of the test taken at the direction of a Peace Officer unless the additional test was prevented or denied by the Peace Officer. Upon the request of the person who is tested, full information concerning the test or tests taken at the direction of the Peace Officer shall be made available to him. The physician, medical technician, medical technologist, laboratory assistant, or registered nurse drawing blood at the request of a Peace Officer for the purpose of determining alcoholic content shall in no manner be liable in any civil or criminal action except for negligence in drawing blood. The person administering such test at the request and direction of such Peace Officer shall be fully trained in the administration of such tests pursuant to standards promulgated by rule by the Commissioner of Public Safety.

Subd. 4. Refusal to Permit Test; Revocation of License. If a person under arrest refuses to permit chemical testing, none shall be given, but the Peace Officer may send to the Commissioner of Public Safety a certificate that such Peace Officer had reasonable and probable grounds to believe the arrested person had been driving or operating a motor vehicle upon the public streets or highways while under the influence of an alcoholic beverage, and that the person had refused to permit the test. The Commissioner of Public Safety shall thereupon be authorized to proceed with respect to such person's license or permit to drive and any non-resident operating privilege in accordance with Minnesota Statutes, Section 169.123 and other applicable laws.

Section 700:169.13. Reckless or Careless Driving.

Subd. 1. Any person who drives any vehicle in such a manner as to indicate either a wilfull or wanton disregard for the safety of persons or property is guilty of reckless driving and such reckless driving is a penal offense.

Subd. 2. Any person who shall operate or halt any vehicle upon any street or highway carelessly or heedlessly in disregard of the rights or the safety of others is guilty of a penal offense.

Subd. 3. Application. The provisions of this Section apply, but are not limited in application, to any person who drives any vehicle in the manner prohibited by this Section upon the ice of any lake, stream, or river, including but not limited to the ice of any boundary water.

Section 700:169.131. Minors Under 17 Not to Drive Motor Vehicle Between Certain Hours. Any juvenile under the age of 17 is prohibited from driving a motor vehicle upon any public street or highway between the hours of 12:00 midnight and 5:00 a.m., unless accompanied by an adult or in the case of an emergency.

Section 700:169.132. Violations. Upon violation of Section 700:169.131 the court may recommend to the Commissioner of Public Safety or to the licensing authority of another state a suspension of the juvenile's driver's license not to exceed thirty (30) days on the first violation, sixty (60) days on the second violation, and upon a subsequent violation the court may recommend a revocation of the license until the juvenile reaches the age of seventeen (17). Upon such recommendation, but not otherwise, the Commissioner of Public Safety shall suspend or revoke the license without hearing. After his 17th birthday, such juvenile may again apply for a driver's license.

Section 700:169.14. Speed Restrictions.

Subd. 1. Basic Rule. No person shall drive a vehicle on a street or highway at a speed greater than is reasonable and prudent under the conditions and having regard to the actual and potential hazards then existing. In every event speed shall be so restricted as may be necessary to avoid colliding with any person, vehicle or other conveyance on or entering the highway in compliance with legal requirements and the duty of all persons to use due care.

Subd. 2. Speed Limits. Where no special hazard exists the following speeds shall be lawful, but any speeds in excess of such limits shall be prima facie evidence that the speed is not reasonable or prudent and that it is unlawful; except that the speed limit within this municipality shall be a maximum limit and any speed in excess thereof shall be unlawful:

- (a) 30 miles per hour in an urban district;
- (b) 65 miles per hour in other locations during the daytime;
- (c) 55 miles per hour in such other locations during the night time.

"Daytime" means from a half hour before sunrise to a half hour after sunset, except at any time when due to weather or other conditions there is not sufficient light to render clearly discernible persons and vehicles at a distance of 500 feet.

"Nighttime" means at any other hour or at any time when due to weather or other conditions there is not sufficient light to render clearly discernible persons and vehicles at a distance of 500 feet.

Subd. 3. Reduced Speed Required. The driver of any vehicle shall, consistent with the requirements, drive at an appropriate reduced speed when approaching and crossing an intersection or railway grade crossing, when approaching and going around a curve, when approaching a hill crest, when traveling upon any narrow or winding roadway, and when special hazards exist with respect to pedestrians or other traffic or by reason of weather or highway conditions.

Subd. 4. Establishment of Zones by Commissioner. When the Commissioner determines upon the basis of an engineering and traffic investigation that any speed set forth in this Section is greater or less than is reasonable or safe under the conditions found to exist on any trunk highway or upon any part thereof, he may erect appropriate signs designating a reasonable and safe speed limit thereat, which speed limit shall be effective when such signs are erected. Any speed limit within this municipality shall be a maximum limit and any speed in excess thereof shall be unlawful.

Subd. 5. Zoning Within Local Areas. When the Council believes that the existing speed limit upon any street or highway, or part thereof, within the corporate limits of this municipality, and not a part of the trunk highway system is greater or less than is reasonable or safe under existing conditions, it may request the Commissioner to authorize, upon the basis of an engineering and traffic investigation, the erection of appropriate signs designating what speed is reasonable and safe, and the Commissioner may authorize the erection of appropriate signs designating a reasonable and safe speed limit thereat, which speed limit shall be effective when such signs are erected. Any speed limit so set within this municipality shall be a maximum limit and any speed in excess thereof shall be unlawful. Alteration of speed limits on streets and highways shall be made only upon authority of the Commissioner obtained in this manner.

Subd. 7. Burden of Proof. The provisions of this Chapter declaring speed limitation shall not be construed to relieve the plaintiff in any civil action from the burden of proving negligence on the part of the defendant as the proximate cause of an accident.

Subd. 8. Minimum Speeds. Where the Commissioner determines upon the basis of an engineering and traffic investigation that a speed at least as great as, or in excess of, a specified and determined minimum is necessary to the reasonable and safe use of any trunk highway or portion thereof, he may erect appropriate signs specifying the minimum speed on such highway or portion thereof. The minimum speed shall be effective when such signs are erected. Any speeds less than the posted minimum speeds shall be prima facie evidence that the speed is not reasonable or prudent and that it is unlawful.

Subd. 9. Standards of Evidence. In any prosecution in which the rate of speed of a motor vehicle is relevant, evidence of the speed of a motor vehicle as indicated on the speedometer thereof shall be admissible on a showing that a vehicle is regularly used in traffic law enforcement and that the speedometer thereon is regularly and routinely tested for accuracy and a record of the results of said tests kept on file by the agency having control of said vehicle. Evidence as to the speed indicated on said speedometer shall be prima facie evidence that the said vehicle was, at the time said reading was observed, traveling at the rate of speed so indicated; subject to correction by the amount of error, if any, shown to exist by the test made closest in time to the time of said reading.

Records of speedometer tests kept in the regular course of operations of any law enforcement agency shall be admissible without further foundation as to the results of said tests. Such records shall be available to the defendant upon demand. Nothing herein shall be construed to preclude or interfere with the cross examination or impeachment of evidence of rate of speed as indicated by speedometer readings, pursuant to the rules of evidence.

Section 700:169.15. Impeding Traffic. No person shall drive a motor vehicle at such a slow speed as to impede or block the normal and reasonable movement of traffic except when reduced speed is necessary for safe operation or in compliance with law or except when the vehicle is temporarily unable to maintain a greater speed due to a combination of the weight of the vehicle and the grade of the highway.

Section 700:169.16. Speed on Bridges. No person shall drive a vehicle over any bridge or other elevated structure constituting a part of a street or highway at a speed which is greater than the maximum speed which can be maintained with safety to such bridge or structure, when such structure is sign-posted as provided in this Section.

The Commissioner, upon request by the Council shall, or upon his own initiative, may, conduct an investigation of any bridge or other elevated structure constituting a part of a street or highway, and if he shall thereupon find that such structure cannot with safety to itself withstand vehicles traveling at the speed otherwise permissible under this Chapter, the Commissioner shall determine and declare the maximum speed of vehicles which structure can withstand and cause or permit suitable signs stating such maximum speed to be erected and maintained at a distance of 100 feet before each end of such structure.

Upon the trial of any person charged with a violation of this Section, proof of the determination of the maximum speed by the Commissioner and the existence of the signs shall constitute conclusive evidence of the maximum speed which can be maintained with safety to such bridge or structure.

Section 700:169.17. Emergency Vehicles. The speed limitations set forth in Sections 700:169.14 to 700:169.17 of this Chapter do not apply to authorized emergency vehicles when responding to emergency calls, but the drivers thereof shall sound audible signal by siren and display at least one lighted red light to the front. This provision does not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of persons using the street, nor does it protect the driver of an authorized emergency vehicle from the consequence of a reckless disregard of the safety of others.

Section 700:169.18. Driving Rules.

Subd. 1. Keep to Right. Upon all roadways of sufficient width a vehicle shall be driven upon the right half of the roadway, except as follows:

- (a) When overtaking and passing another vehicle proceeding in the same direction under the rules governing such movement;
- (b) When the right half of a roadway is closed to traffic while under construction or repair;
- (c) Upon a roadway divided into three marked lanes for traffic under the rules applicable thereon; or
- (d) Upon a roadway designated and sign-posted for one-way traffic as a one-way roadway.

Subd. 2. Meeting. Drivers of vehicles proceeding in opposite directions shall pass each other to the right, and upon roadways having width for not more than one line of traffic in each direction, each driver shall give to the other at least one-half of the main traveled portion of the roadway as nearly as possible.

Subd. 3. Passing. The following rules shall govern the overtaking and passing of vehicles proceeding in the same direction, subject to the limitations, exceptions and special rules hereinafter stated:

- (a) The driver of a vehicle overtaking another vehicle proceeding in the same direction shall pass to the left thereof at a safe distance and shall not again drive to the right side of the roadway until safely clear of the overtaken vehicle;
- (b) Except when overtaking and passing on the right is permitted, the driver of an overtaken vehicle shall give way to the right in favor of the overtaking vehicle on audible warning and shall not increase the speed of his vehicle until completely passed by the overtaking vehicle.

Subd. 4. Passing on Right. The driver of a vehicle may overtake and pass upon the right of another vehicle only upon the following conditions:

- (a) When the vehicle overtaken is making or about to make a left turn;
- (b) Upon a street or highway with unobstructed pavement not occupied by parked vehicles of sufficient width for two or more lines of moving vehicles in each direction;
- (c) Upon a one-way street, or upon any roadway on which traffic is restricted to one direction of movement, where the roadway is free from obstructions and of sufficient width for two or more lines of moving vehicles;
- (d) The driver of a vehicle may overtake and pass another vehicle upon the right only under conditions permitting such movement in safety. In no event shall such movement be made by driving off the pavement or main traveled portion of the roadway.

Subd. 5. Driving Left of Roadway Center.

- (a) No vehicle shall be driven to the left side of the center of the roadway in overtaking and passing another vehicle proceeding in the same direction unless such left side is clearly visible and is free of oncoming traffic for a sufficient distance ahead to permit such overtaking and passing to be completely made without interfering with the safe operation of any vehicle approaching from the opposite direction or any vehicle overtaken. In every event the overtaking vehicle must return to the right-hand side of the roadway before coming within 100 feet of any vehicle approaching from the opposite direction;
- (b) Except on a one-way roadway, no vehicle shall, in overtaking and passing another vehicle or at any other time, be driven to the left half of the roadway under the following conditions:
 - (1) When approaching the crest of a grade or upon a curve in the highway where the driver's view along the highway is obstructed within a distance of 700 feet;
 - (2) When approaching within 100 feet of any underpass or tunnel, or railroad grade crossing, or when approaching within 100 feet of or traversing any intersection within this municipality.
 - (3) Where official signs are in place prohibiting passing or a distinctive center line is marked which distinctive line also so prohibits passing, as declared in the manual of traffic-control devices adopted by the Commissioner.

Subd. 6. One-Way Traffic.

- (a) Upon a roadway designated and sign-posted for one-way traffic as a one-way roadway, a vehicle shall be driven only in the direction designated;

- (b) A vehicle passing around a rotary traffic island shall be driven only to the right of such island.

Subd. 7. Laned Highways. When any roadway has been divided into two or more clearly marked lanes for traffic, the following rules, in addition to all others consistent herewith, shall apply:

- (a) A vehicle shall be driven as nearly as practicable entirely within a single lane and shall not be moved from such lane until the driver has first ascertained that such movement can be made with safety;
- (b) Upon a roadway which is not a one-way roadway and which is divided into three lanes, a vehicle shall not be driven in the center lane except when overtaking and passing another vehicle where the roadway is clearly visible and such center lane is clear of traffic within a safe distance, or in preparation for a left turn or where such center lane is at the time allocated exclusively to traffic moving in the direction the vehicle is proceeding and is sign-posted to give notice of such allocation. The left lane of a three-lane roadway which is not a one-way roadway shall not be used for overtaking and passing another vehicle;
- (c) Official signs may be erected directing slow-moving traffic to use a designated lane or allocating specified lanes to traffic moving in the same direction and drivers of vehicles shall obey the directions of every such sign.

Subd. 8. Following Vehicle Too Closely.

- (a) The driver of a motor vehicle shall not follow another vehicle more closely than is reasonable and prudent, having due regard for the speed of such vehicles and the traffic upon the conditions of the highway.
- (b) The driver of any motor vehicle drawing another vehicle, or the driver of any motor truck, when traveling upon a roadway outside of a business or residence district, shall not follow within 500 feet of another vehicle. The provisions of this clause shall not be construed to prevent overtaking and passing nor shall the same apply upon any lane specially designated for use by motor trucks.

Subd. 9. Divided Highways; Crossovers. Whenever any highway has been divided into two or more roadways by leaving an intervening space or by a physical barrier or clearly indicated dividing section so constructed as to impede vehicular traffic, every vehicle shall be driven only upon the right-hand roadway unless directed or permitted to use another roadway by official traffic devices or police officers. No vehicle shall be driven over, across, or within any such dividing space, barrier section, except through an opening in such physical barrier, or dividing section or space or at a crossover or intersection established by public authority.

Subd. 10. Slow-Moving Vehicles. Upon all roadways any vehicle proceeding at less than the normal speed of traffic at the time and place and under the conditions then existing shall be driven in the right-hand lane then available for traffic, or as close as practicable to the right-hand curb or edge of the roadway, except when overtaking and passing another vehicle proceeding in the same direction, or when preparing for a left turn at an intersection or into a private road or driveway, or when a specific lane is designated and posted for a specific type of traffic.

Section 700:169.19. Turning and Starting.

Subd. 1. Turning at Intersections. The driver of a vehicle intending to turn at an intersection shall do so as follows:

- (1) Both the approach for a right turn and a right turn shall be made as close as practicable to the right-hand curb or edge of the roadway;
- (2) Approach for a left turn on other than one-way roadways shall be made in that portion of the right half of the roadway nearest the center line thereof, and after entering the intersection the left turn shall be made so as to leave the intersection to the right of the center line of the roadway being entered. Whenever practicable the left turn shall be made in that portion of the intersection to the left of the center of the intersection;
- (3) Approach for a left turn from a two-way roadway into a one-way roadway shall be made in that portion of the right half of the roadway nearest the center line thereof and by passing to the right of such center line where it enters the intersection;
- (4) A left turn from a one-way roadway into a two-way roadway shall be made from the left hand turn lane and by passing to the right of the center line of the roadway being entered upon leaving the intersection;
- (5) Where both streets or roadways are one way, both the approach for a left turn and a left turn shall be made as close as practicable to the left-hand curb or edge of the roadway;
- (6) Local authorities in their respective jurisdictions may cause markers, buttons, or signs to be placed within or adjacent to intersections and thereby require and direct that a different course from that specified in this Section be traveled by vehicles turning at an intersection, and when markers, buttons, or signs are so placed, no driver of a vehicle shall turn a vehicle at an intersection other than as directed and required by such markers, buttons or signs.

Subd. 2. U-Turns. No vehicle shall be turned so as to proceed in the opposite direction upon any curve, or upon the approach to or near the crest of a grade, where such vehicle cannot be seen by the driver of any other vehicle approaching from either direction within 1,000 feet.

Subd. 3. Starting Parked Car. No person shall start a vehicle which is stopped, standing or parked unless and until such movement can be made with reasonable safety.

Subd. 4. Change of Course. No person shall turn a vehicle at an intersection unless the vehicle is in proper position upon the roadway as required in this Section, or turn a vehicle to enter a private road or driveway or otherwise turn a vehicle from a direct course or move right or left upon a highway unless and until the movement can be made with reasonable safety, and then only after giving a clearly audible warning by sounding the horn if any pedestrian may be affected by the movement or after giving an appropriate signal in the manner hereinafter provided in the event any other vehicle may be affected by the movement.

Subd. 5. Signal to Turn. A signal of intention to turn right or left shall be given continuously during not less than the last 100 feet traveled by the vehicle before turning.

Subd. 6. Signal to Stop. No person shall stop or suddenly decrease the speed of a vehicle without first giving an appropriate signal in the manner provided herein to the driver of any vehicle immediately to the rear unless there is a good and sufficient reason for not being able to do so.

Subd. 7. Signaling Methods. The signals herein required shall be given either by means of the hand and arm or by a signal lamp or signal device of a type approved by the Commissioner of Public Safety, but when a vehicle is so constructed or loaded that a hand and arm signal would not be visible in normal sunlight, and at night both to the front and rear of such vehicle, then the signals must be given by such a lamp or device.

Subd. 8. Hand Signals. When the signal is given by means of the hand and arm, the driver shall indicate his intention to start, stop, or turn by extending the hand and arm from and beyond the left side of the vehicle in the following manner and these signals shall indicate as follows:

- (a) Left turn - hand and arm extended horizontally.
- (b) Right turn - hand and arm extended upward.
- (c) Stop and decrease speed - hand and arm extended downward.

Section 700:169.20. Right of Way.

Subd. 1. Approaching Uncontrolled Intersection. When two vehicles enter an uncontrolled intersection from streets or highways at approximately the same time, the driver of the vehicle on the left shall yield the right of way to the vehicle on the right.

The driver of any vehicle traveling at an unlawful speed shall forfeit any right of way which he might otherwise have hereunder.

The foregoing rules are modified at through highways, and otherwise as hereinafter stated in this Section.

Subd. 2. Left Turns. The driver of a vehicle intending to turn to the left within an intersection or into an alley, private road, or driveway shall yield the right of way to any vehicle approaching from the opposite direction which is within the intersection or so close thereto as to constitute an immediate hazard.

Subd. 3. Through Highway - Stop Sign. The driver of a vehicle shall stop as required by this Chapter at the entrance to a through highway and shall yield the right of way to other vehicles which have entered the intersection from the through highway or which are approaching so closely on the through highway as to constitute an immediate hazard, but the driver having so yielded may proceed, and the drivers of all other vehicles approaching the intersection on the through highway shall yield the right of way to the vehicle so proceeding into or across the through highway.

The driver of a vehicle shall likewise stop in obedience to a stop sign, as required herein, at an intersection where a stop sign is erected at one or more entrances thereto, although not a part of a through highway, and shall proceed cautiously, yielding to vehicles not so obliged to stop which are within the intersection or approaching so closely as to constitute an immediate hazard, but may then proceed.

Subd. 4. Entering Highway from Private Driveway. The driver of a vehicle entering or crossing a highway from an alley, a private road or driveway shall yield the right of way to all vehicles approaching on such highway.

Subd. 5. Emergency Vehicle. Upon the immediate approach of an authorized emergency vehicle equipped with at least one lighted lamp exhibiting red light visible under normal atmospheric conditions from a distance of 500 feet to the front of such vehicle and, except where otherwise not required by law, when the driver is giving audible signal by siren, the driver of each other vehicle shall yield the right of way and shall immediately drive to a position parallel to and as close as possible to the right-hand edge or curb of the highway clear of any intersection, and shall stop and remain in this position until the authorized emergency vehicle has passed, except when otherwise directed by a police officer. The driver of an authorized emergency vehicle escorting the movement of a vehicle or load which is oversize or overweight need not sound an audible signal by siren, but shall exhibit the light required by this paragraph. The driver of each other vehicle shall then yield the right of way, as required by this paragraph, to the emergency vehicle escorting the vehicle or load which is oversize or overweight.

Upon the approach of an authorized emergency vehicle the motorman of each street car and the operator of each trackless trolley car shall immediately stop such car clear of any intersection and keep it in this position and keep the doors and gates of the street car or trackless trolley car closed until the authorized emergency vehicle has passed, except when otherwise directed by a police officer.

This subdivision shall not operate to relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of persons using the highways.

Subd. 6. Funeral Processions. When any funeral procession identifies itself by using regular lights on all cars and by keeping all cars in close formation, the driver of every other vehicle, except an emergency vehicle, shall yield the right of way.

Section 700:169.201. Yield Sign. The driver of a vehicle approaching a "Yield" sign shall slow to a speed that is reasonable for conditions of traffic and visibility, and stop if necessary, and yield the right of way to any pedestrian legally crossing the roadway on which he is driving, and to all vehicles on the intersecting street or highway which are so close as to constitute an immediate hazard.

Section 700:169.202. Blind Persons Carrying White Canes.

Subd. 1. Limitation on Carrying. It shall be unlawful for any person to carry a white painted cane unless said person is a blind person.

Subd. 2. Blind Persons Have Right of Way. Any person operating a motor vehicle in this State shall bring such motor vehicle to a stop and give the right of way at any intersection of any street, avenue, alley or other public highway to a blind pedestrian who is carrying a cane predominantly white or metallic in color, with or without a red tip or using a guide dog, when such blind person enters said intersection.

Section 700:169.21. Pedestrians.

Subd. 1. Obey Traffic-Control Signals. Pedestrians shall be subject to traffic-control signals at intersections as heretofore declared in this Chapter, but at all other places pedestrians shall be accorded the privileges and shall be subject to the restrictions stated in Sections 700:169.21 and 700:169.22.

Subd. 2. Rights, In Absence of Signals. Where traffic-control signals are not in place or are not in operation, the driver of a vehicle shall yield the right of way, slowing down or stopping if need be to so yield, to a pedestrian crossing the roadway within a crosswalk but no pedestrian shall suddenly leave a curb or other place of safety and walk or run into the path of a vehicle which is so close that it is impossible for the driver to yield. This provision shall not apply under the conditions as otherwise provided in this subdivision.

When any vehicle is stopped at a marked crosswalk or at any unmarked crosswalk at an intersection to permit a pedestrian to cross the roadway, the driver of any other vehicle approaching from the rear shall not overtake and pass the stopped vehicle.

It is unlawful for any person to drive a motor vehicle through a column of children crossing a street or highway or past a member of a school safety patrol while the member of the school safety patrol is directing the movement of children across a street or highway and while the school safety patrol member is holding his official signal in the stop position.

Subd. 3. Crossing Between Intersections. Every pedestrian crossing a roadway at any point other than within a marked crosswalk or within an unmarked crosswalk at an intersection, shall yield the right of way to all vehicles upon the roadway.

Any pedestrian crossing a roadway at a point where a pedestrian tunnel or overhead pedestrian crossing has been provided shall yield the right of way to all vehicles upon the roadway.

Between adjacent intersections at which traffic-control signals are in operation, pedestrians shall not cross at any place except in a marked crosswalk.

Notwithstanding the provisions of this Section, every driver of a vehicle shall exercise due care to avoid colliding with any pedestrian upon any roadway and give warning by sounding the horn when necessary and exercise proper precaution upon observing any child or any confused or incapacitated person upon a roadway.

Subd. 4. Use Right Half of Crosswalks. Pedestrians shall move when practicable upon the right half of crosswalks.

Subd. 5. Walk on Left Side of Roadway. Pedestrians when walking along a roadway shall walk near the left side of the roadway, giving way to oncoming traffic. Where sidewalks are provided and usable, it shall be unlawful for any pedestrian to walk along and upon an adjacent roadway.

Section 700:169.22. Hitchhiking. No person shall stand in a roadway for the purpose of soliciting a ride from the driver of any private vehicle.

Section 700:169.221. Bicycles.

Subd. 1. Traffic Laws Apply. Every person riding a bicycle upon a roadway shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle by this Chapter, except as to special regulations in this Chapter and except as to those provisions of this Chapter which by their nature can have no application.

Subd. 2. Manner and Number Riding.

- (a) A person propelling a bicycle shall not ride other than upon or astride a permanent and regular seat attached thereto.
- (b) No bicycle shall be used to carry more persons at one time than the number for which it is designed and equipped.

Subd. 3. Hitching Rides. No person riding upon any bicycle, coaster, roller skates, sled or toy vehicle shall attach the same or himself to any street car or vehicle upon a roadway.

Subd. 4. Where to Ride.

- (a) Every person operating a bicycle upon a roadway shall ride as near the right side of the roadway as practicable, exercising due care when passing a standing vehicle or one proceeding in the same direction.
- (b) Persons riding bicycles upon a roadway shall not ride more than two abreast except on paths or parts of roadways set aside for the exclusive use of bicycles.

- (c) Whenever a usable path for bicycles has been provided adjacent to a roadway, bicycle riders shall use such path and shall not use the roadway.
- (d) No person shall ride a bicycle upon a sidewalk within a business district.

Whenever any person is riding a bicycle upon a sidewalk, such person shall yield the right of way to any pedestrian and shall give audible signal before overtaking and passing such pedestrian.

Subd. 5. Carrying Articles. No person operating a bicycle shall carry any package, bundle, or article which prevents the driver from keeping at least one hand upon the handle bars.

Subd. 6. Lighting and Brake Equipment.

- (a) Every bicycle when in use at nighttime shall be equipped with a lamp on the front which shall emit a white light visible from a distance of at least 500 feet to the front and with a red reflector on the rear of a type approved by the Department of Public Safety which is visible from all distances from 50 feet to 300 feet to the rear when directly in front of lawful upper beams of head lamps on a motor vehicle. A lamp emitting a red light visible from a distance of 500 feet to the rear may be used in addition to the red reflector.
- (b) Every bicycle shall be equipped with a brake which will enable the operator to make the braked wheels skid on dry, clean pavement.

Subd. 7. Sale with Reflectors. It shall be unlawful for any person to sell or offer for sale any new bicycle unless it is equipped with such reflectors as are prescribed by Subdivision 6 of this Section.

Section 700:169.25. Safety Zone. No vehicle shall at any time be driven through a safety zone.

Section 700:169.26. Special Stops at Railroads. When any person driving a vehicle approaches a railroad crossing and a clearly visible electric or mechanical signal device gives warning of the immediate approach of a train, the driver of such vehicle shall stop not less than ten feet from the nearest track of such railroad and shall not proceed until he can do so safely.

The driver of a vehicle shall stop and remain standing and not traverse such grade crossing when the crossing gate is lowered or when a human flagman gives or continues to give a signal of the approach or passage of a train.

Section 700:169.27. Railroad Stop-Crossings. When the Minnesota Department of Public Service designates particularly dangerous highway grade crossings of railroads and orders stop signs thereat, when such stop signs are erected, the driver of any vehicle shall stop within 50 feet, but not less than ten feet, from the nearest track of such grade crossing, and shall proceed only upon exercising due care.

Section 700:169.28. Certain Vehicles to Stop at Railroads. The driver of any motor vehicle carrying passengers for hire, or of any school bus, whether carrying passengers or not, or of any vehicle carrying explosive substances or flammable liquids, or liquid gas under pressure as a cargo or part of a cargo, before crossing at grade of any track or tracks of a railroad, shall stop such vehicle not less than ten feet from the nearest rail of such railroad and while so stopped shall listen and look in both directions along such track for any approaching train, and for signals indicating the approach of a train, except as hereinafter provided, and shall not proceed until he can do so safely.

No stop need be made at any such crossing where a police officer or a traffic-control signal directs traffic to proceed.

This Section shall not apply at street railway grade crossings within a business or residence district.

A school bus shall not be flagged across railroad grade crossings except at such railroad grade crossings as the local school administrator may designate.

Section 700:169.29. Crossing Railroad Tracks with Certain Equipment. No person shall operate or move any caterpillar tractor, steam shovel, derrick, roller, or any equipment or structure having a normal operating speed of six or less miles per hour or a vertical body or load clearance of less than nine inches above the level surface of a roadway upon or across any tracks at a railroad grade crossing without first complying with this Section.

Before making any such crossing the person operating or moving any such vehicle or equipment shall first stop the same not less than ten nor more than 50 feet from the nearest rail of such railway, and while so stopped shall listen and look in both directions along such track for any approaching train and for signals indicating the approach of a train, and shall not proceed until the crossing can be made safely.

No such crossing shall be made when warning is given by automatic signal or crossing gates or a flagman or otherwise of the immediate approach of a railroad train or car.

Section 700:169.30. Designation of Through Highways. When the Council, the Commissioner with reference to State trunk highways, and other local authorities with reference to other highways under their jurisdiction, designate through highways by erecting stop signs or yield signs at entrances thereto or designate any intersection as a stop or yield intersection by erecting like signs at one or more entrances to such intersection, or the Council or other local authorities, with the consent of the Commissioner, designate through highway or stop or yield intersections on State trunk highways, every driver of a vehicle shall stop at a stop sign or at a clearly marked stop line before entering intersection, except when directed to proceed by a police officer or traffic-control signal.

Section 700:169.305. Controlled Access Regulations and Penalties.

Subd. 1.

- (a) No person shall drive a vehicle onto or from any controlled access highway except at such entrances and exits as are established by public authority.

- (b) When special crossovers between the main roadways of a controlled access highway are provided for emergency vehicles or maintenance equipment and such crossovers are signed to prohibit "U" turns, or other uses, it shall be unlawful for any vehicle, except an emergency vehicle or maintenance equipment to use such crossover.
- (c) When the Council of this municipality by ordinance, Commissioner of Highways by order, and any other public authority, by ordinance, with respect to any controlled access highway under their jurisdictions prohibits or regulates the use of any such highway by pedestrians, bicycles, or other non-motorized traffic, or by any class or kind of traffic which is found to be incompatible with the normal and safe flow of traffic, the Council, the Commissioner of Highways or any other public authority adopting any such prohibitory regulation shall erect and maintain official signs on the controlled access highway on which such regulations are applicable and when so erected no person shall disobey the restrictions stated on such signs.

Subd. 2. Except for a driver of an authorized emergency vehicle or road maintenance equipment in the course of performing his duties, no driver of a vehicle shall back the same upon the highway or shoulder of any controlled access highway.

Subd. 3. Any person violating the provisions of this Section shall be guilty of a petty offense.

Section 700:169.31. Stop at Sidewalks, Driving on Sidewalks. The driver of a vehicle within a business or residence district emerging from an alley, driveway, or building shall stop such vehicle immediately prior to driving onto a sidewalk or into the sidewalk area extending across any alleyway or private driveway.

Except for crossing at an alley, driveway, building, or other authorized crossing, no person shall ride or drive any motor vehicle, bicycle, motorcycle, motor scooter, motorized bicycle, or other dangerous vehicle upon any sidewalk within the limits of this municipality.

Section 700:169.32. Stopping, Standing and Parking. Upon any street or highway outside of a business or residence district no person shall stop, park, or leave standing any vehicle, whether attended or unattended, upon the paved or improved or main traveled part of the highway when it is practical to stop, park, or so leave such vehicle off such part of said highway, but in every event a clear and unobstructed width of at least 20 feet of such part of the highway opposite such standing vehicle shall be left for the free passage of other vehicles and a clear view of such stopped vehicle be available from a distance of 200 feet in each direction upon such highway.

This Section shall not apply to the driver of any vehicle which is disabled while on the paved or improved or main traveled portion of a highway in such a manner and to such extent that it is impossible to avoid stopping and temporarily leaving such disabled vehicle in such position.

This Section shall not apply to the driver of a school bus stopped for the purpose of receiving or discharging any school child or school children, provided the bus is equipped and identified as provided in Section 700:169.44 and is displaying the flashing red lamps and stop arm required therein.

Section 700:169.33. Police May Move Cars. When any police officer finds a vehicle standing upon a street or highway in violation of any of the provisions of Section 700:169.32, such officer is hereby authorized to move such vehicle or require the driver or other person in charge of the vehicle to move the same, to a position off the paved or improved or main traveled part of such highway.

When any police officer finds a vehicle unattended upon any street or highway or upon any bridge or causeway or in any tunnel where such vehicle constitutes an obstruction to traffic, such officer is hereby authorized to provide for the removal of such vehicle and remove the same to the nearest convenient garage or other place of safety.

Section 700:169.34. Prohibitions; Stopping, Parking. No person shall stop, stand, or park a vehicle, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic-control device, in any of the following places:

Subd. 1. On a sidewalk;

Subd. 2. In front of a public or private driveway;

Subd. 3. Within an intersection;

Subd. 4. Within ten feet of a fire hydrant;

Subd. 5. On a crosswalk;

Subd. 6. Within 20 feet of a crosswalk at an intersection;

Subd. 7. Within 30 feet upon the approach to any flashing beacon, stop sign, or traffic-control signal located at the side of a roadway;

Subd. 8. Between a safety zone and the adjacent curb or within 30 feet of points on the curb immediately opposite the ends of a safety zone unless a different length is indicated by signs or markings;

Subd. 9. Within 50 feet of the nearest rail of a railroad crossing;

Subd. 10. Within 20 feet of the driveway entrance to any fire station and on the side of a street opposite the entrance to any fire station within 75 feet of said entrance when properly sign-posted;

Subd. 11. Alongside or opposite any street excavation or obstruction when such stopping, standing, or parking would obstruct traffic;

Subd. 12. On the roadway side of any vehicle stopped or parked at the edge or curb of a street;

Subd. 13. Upon any bridge or other elevated structure upon a street or highway or within a street or highway tunnel, except as otherwise provided by ordinance;

Subd. 14. At any place where official traffic-control devices prohibit stopping;

Subd. 15. Moving Vehicle by Non-Owner. No person shall move a vehicle not owned by such person into any prohibited area or away from a curb such distance as is unlawful.

Subd. 16. Parking House Trailers. No person shall, for camping purposes, leave or park a house trailer on or within the limits of any street or highway or on any highway right of way, except where signs are erected designating the place as a camp site. No person shall leave or park a house trailer on any streets or highways or the right of way thereof for a longer period than 6 hours.

Subd. 17. Traffic Officer Directions. No person shall stop or park a vehicle on a street or highway when directed or ordered to proceed by any peace officer invested by law with authority to direct, control or regulate traffic.

Subd. 27. Parking Defined. For the purpose of this ordinance and any regulations thereunder relating to limited parking on any street, thoroughfare, highway, avenue, alley, or parking lot, any vehicle moved and re-parked within a distance of not more than 900 feet during the limited parking period shall be deemed to have remained stationary.

Subd. 28. Display for Sale. No vehicle shall be parked on any street for the purpose of displaying it for sale.

Subd. 29. Medical Emergency. No vehicle, except that of a physician on an emergency call, shall be parked for more than 30 minutes between 2:00 and 6:00 o'clock a.m.; and no vehicle shall in any case, be parked upon any street in any one place for a longer continuous period than six hours.

Subd. 30. Fire Escape. No person shall park a vehicle so as to block a fire escape or the exit from any building, whether on public or private property.

Subd. 31. Police Order. No person shall park any vehicle where temporary signs are posted reading "No Parking - Police Order", as long as such signs are in place.

Subd. 32. Fire Lane. No person shall park in any area designed as a fire lane.

Subd. 33. Snow Removal Parking Restrictions. The Engineer or Superintendent of the Street Department is hereby authorized to post no parking signs for snow removal along streets where snow removal operations will require the use of the entire width of the street by snow plowing and snow removing equipment. Such signs shall be posted at frequent intervals

at least four (4) hours prior to the time when snow removal commences on the street so posted, and such signs shall be removed promptly after completion of the snow removal operation. Snow removal shall be done on any street so posted as soon as possible following a lapse of four (4) hours after posting the signs. No person shall park any vehicle, nor leave any vehicle which was parked at the time of posting for a period of more than two (2) hours thereafter, in any block on any street so posted during the time the said signs are posted thereon, and it shall be unlawful for any person other than an authorized representative of the Street Department or Police Department of the City to remove said signs.

Subd. 36. Existing Parking Signs. Existing signs which have been posted by direction of the Council, Engineer, or the Chief of Police regulating parking of vehicles shall be recognized as properly placed under this Chapter until changed by proper direction of the Council.

Subd. 37. Parking by Entrances of Certain Buildings. No person shall stop, park, or leave standing any vehicle on any street or highway in this municipality in front of the entrance to, or exit from, any theater, dance hall, church, hospital, school, or any hotel having twenty-five or more rooms, for the full width of such entrance or exit during the hours that such buildings are in use by the public. After initial approval of the Council, the owner of any such building used for said purposes shall cause to be placed at such entrance or exit, one hour before such building is opened to public use, proper, adequate and visible signs subject to the approval of the Chief of Police, giving notice to the public of their hours of use of such building. Such signs shall be removed when such use by the building ceases.

Subd. 38. Parking in Alleys. No person shall park a vehicle or permit it to stand, whether attended or unattended, upon any alley within this municipality; provided that this shall not prohibit the parking of such vehicles for less than a period of one hour along any such alley for the purpose of having access to any property abutting thereon for the purpose of loading or unloading merchandise or other material when such access cannot conveniently be secured upon the property itself.

Subd. 39. Limited Time Parking Zones. The Council may designate no parking or limited time parking zones by a resolution setting forth the location of the zone, and in the case of a limited time parking zone, the time limit imposed. The Chief of Police shall post signs at locations so designated which shall either indicate, in accordance with the resolution, a no parking zone or the specified time limit for parking, and if there is a concrete curb, the curb shall be painted yellow at the designated parking zone.

Subd. 40. Operation and Parking of Vehicles on Private Parking Lots. No person shall operate a motor vehicle on any private parking lots within this municipality at a speed greater than is safe and reasonable under the conditions of traffic then existing therein, and in no event at a speed exceeding 15 miles per hour. Parking of vehicles on such lots shall conform to any stalls or positions for parking designated on the surface of the parking area and no vehicle shall be parked or allowed to stand in any area of such parking lot which has been designated or is used for a lane for moving traffic so as to interfere with the movement of traffic

thereon. The Council may authorize the Chief of Police or Engineer to post signs at any entrances to a private parking lot from a public street, which shall designate one-way traffic for entrance or exit, and the driver of any vehicle entering or leaving any such lot shall comply with any one-way signs so posted.

Section 700:169.345. Parking Privileges for Physically Handicapped.

Subd. 1. Scope of Privilege. Any physically handicapped person who displays prominently upon the automobile parked by him or under his direction and for his use, the distinguishing certificate or insignia, duly issued by the Motor Vehicles Division of the Department of Public Safety for physically handicapped drivers, shall be entitled to courtesy in the parking of such automobile and be relieved of any liability with respect to parking except as provided in Sections 700:169.32 and 700:169.34, provided, however, that if the Council prohibits parking on any street or highway for the purpose of creating a fire lane, or to provide for the accommodation of heavy traffic during morning and afternoon rush hours, the privileges extended to such handicapped persons shall not apply on streets or highways where and at such times parking is prohibited.

Subd. 2. Definition of Physically Handicapped. Physically handicapped as employed herein shall include any person who has sustained an amputation or permanent material disability of either or both arms or legs, or who has been otherwise permanently disabled in any manner rendering it difficult and burdensome for him to walk.

Subd. 4. Revocation, Penalty. If the police of this municipality, of the State or any city, or other local government shall find that such certificate or insignia is being improperly used, they may report to the Motor Vehicles Division in the office of the Department of Public Safety any such violation.

Any person who is not physically handicapped and who exercises the privilege granted a physically handicapped person under Subdivision 1 of this Section is guilty of a petty offense.

Section 700:169.35. Parking.

Subd. 1. Parallel to Curb. Each vehicle stopped or parked upon a two-way roadway where there is an adjacent curb shall be so stopped or parked with the right-hand wheels of the vehicle parallel with and within 12 inches of the right-hand curb.

Subd. 2. Where No Curb. Upon streets and highways not having a curb, each vehicle stopped or parked shall be stopped or parked parallel with and to the right of the paved or improved or main traveled part of the street or highway.

Subd. 3. One-Way Roadway. Upon one-way roadways designated by the Council or other local authority having jurisdiction, and upon State trunk highways, designated by the Council with the consent of the Commissioner, vehicles may be parked with the left-hand wheels adjacent to and within 12 inches of the left-hand curb of a one-way roadway.

I. A. Scheel

being duly sworn, on oath says;
that he is, and during all the times herein stated has been the publisher of the newspaper known as
The Lanesboro Leader and has full knowledge of the facts hereinafter stated; that for more than one

year prior to the publication therein of the Amendment
hereinafter described, said newspaper was printed and published in the Village of Lanesboro, in the
County of Fillmore, State of Minnesota, on Thursday of each week; that during all said time said
newspaper has been printed in the English language from its known office of publication within the
Village from which it purports to be issued as above stated and in newspaper format and in column
and sheet form equivalent in space to at least 450 running inches of single column, two inches wide;
has been issued Thursday each week from a known office established in said place of publication and
employing skilled workmen and equipped with the necessary material for preparing and printing the
same, and the presswork on that part of the newspaper devoted to local news of interest to the com-
munity which it purports to serve has been done in its known office of publication; that during all said
time in its makeup not less than twenty-five per cent of its news columns have been devoted to local
news of interest to the community it purports to serve; that during all said time it has not wholly dup-
licated and other publications, and has not been entirely made up of patents, plate matter and advertise-
ments; has been circulated in and near its said place of publication to the extent of at least two hundred
and forty (240) copies regularly delivered to paying subscribers and has entry as second class matter in
its local post office; and that there has been on file in the office of the County Auditor of Fillmore Coun-
ty, Minnesota, the affidavit of a person having knowledge of the facts, showing the name and location of
said newspaper and the existence of the conditions constituting its qualifications as a legal newspaper.

That the Notice hereto attached was cut from the columns of said newspaper, and was printed
and published therein in the English language, once each week, for one successive weeks; that
it was ~~not~~ published on Thursday, the 25th day of December, 1980;

~~and the same on Thursday, of each week, at Lanesboro, Minn.~~
~~XXXX~~; and that the following is a printed copy of the lower case alphabet from a to z both inclu-
sive and is hereby acknowledged as being the size and kind of type used in the composition and pub-
lication of said notice, to-wit:

Proof of Complete Lower Case Alphabet a-z Without Spacing

abcdefghijklmnopqrstuvwxyz

I. A. Scheel

Subscribed and sworn to before me this 9th day of January, 1981.

Courne D. Fox
Notary Public, Fillmore County, Minnesota.

My commission expires 19
NOTARY PUBLIC - MINNESOTA
My Commission Expires May 10, 1982

Legal Notices

PARKING, DIAGONAL Section 700: 169.35. Amend- ment.

Subdivision 4. Diagonal
parking shall be permitted
on selected streets within
the corporate limits as
approved by City Council
upon passage of appropri-
ate Resolution. Such parking
shall meet specifications of
parking regulations of this
City's ordinance code.

Section 700:169.36. Brakes to be Set. No person driving or in charge of a motor vehicle shall permit it to stand unattended without effectively setting the brake thereon and turning the front wheels to the curb or side of the highway.

Section 700:169.37. Obstructing View of Driver. No person shall drive a vehicle when it is so loaded, or when there are in the front seat such number of persons, exceeding three, as to obstruct the view of the driver to the front or sides of the vehicle or as to interfere with the driver's control over the driving mechanism of the vehicle.

No passenger in a vehicle or street car shall ride in such position as to interfere with the driver's or motorman's view ahead or to the sides, or to interfere with his control over the driving mechanism of the vehicle or street car.

Section 700:169.38. Driving in Rough Terrain. The driver of a motor vehicle traveling through defiles or canyons or on mountain highways shall hold such motor vehicle under control and as near the right-hand edge of the street or highway as reasonably possible, and, upon approaching any curve where the view is obstructed within a distance of 200 feet along the highway, shall give audible warning with the horn of such vehicle.

Section 700:169.39. Coasting. The driver of any motor vehicle when traveling upon a down grade shall not coast with the gears of such vehicle in neutral. The driver of a commercial motor vehicle when traveling upon a down grade shall not coast with the clutch disengaged.

Section 700:169.40. Fire Apparatus; Fire Stations.

Subd. 1. The driver of any vehicle other than one on official business shall not follow any fire apparatus traveling in response to a fire alarm closer than 500 feet or drive into or park such vehicle within the block where fire apparatus has stopped in answer to a fire alarm.

Subd. 2. No person shall drive a vehicle within 50 feet of the driveway entrance to any fire station while fire apparatus is being driven into the fire station, unless he is on official business.

Section 700:169.41. Crossing Fire Hose. No street car or vehicle shall be driven over any unprotected hose of the Fire Department when laid down on any street, private driveway or street car track, to be used at any fire or alarm of fire, without the consent of the Fire Department official in command.

Section 700:169.42. Littering or Placing Refuse Upon Highways or Adjacent Lands, Private Property, Parks or Public Place; Dropping Objects on Vehicles.

Subd. 1. No person shall throw, deposit, place or dump, or cause to be thrown, deposited, placed or dumped upon any street or highway or upon any public or privately owned land adjacent thereto without the owner's consent any glass bottle, glass, nails, tacks, wire, cans, garbage, swill, papers, ashes, refuse, carcass of any dead animal, offal, trash or rubbish or any other form of offensive matter or any other substance likely to injure any person, animal or vehicle upon any such street or highway.

Subd. 2. Any person who drops, or permits to be dropped or thrown, upon any street or highway any of the material specified in Subdivision 1, shall immediately remove the same or cause it to be removed.

Subd. 3. Any person removing a wrecked or damaged vehicle from a street or highway shall remove any glass or other injurious substance dropped upon the street or highway from such vehicle.

Subd. 4. No person shall drop or hurl any destructive or injurious material or object at or upon any motor vehicle upon any street or highway or the occupants thereof.

Subd. 5. Any person violating the provisions of this Section shall be guilty of a penal offense. The record of any conviction of or plea of guilty under this Section of a person operating a motor vehicle shall be immediately forwarded to the Department of Public Safety for inclusion upon that offender's driving record. Any second offense or offense thereafter under this Section shall require a minimum fine in the amount of \$100. Any judge or magistrate may, for any violation of this Section, order the offender to pick up litter along any public highway or road for four to eight hours under the direction of the Department of Highways, with the option of a jail sentence being imposed.

Section 700:169.43. Swinging Gates. No truck shall be operated on any street or highway with gate, loading rack or partition carried in any manner on any part of the exterior of the truck, unless the top and bottom of such gate, loading rack or partition is securely attached to the truck, so as to prevent swinging or becoming loose.

No truck shall be driven or parked on any street or highway with tailboard hanging down or projecting from the vehicle except while such vehicle is being loaded or unloaded and except when a load on the tailboard renders impossible the closing of the tailboard.

Section 700:169.44. School Buses, Stop Signals, Conduct of Other Vehicles.

Subd. 1. Meeting or Overtaking Buses, Stop Signals, Stopping. The driver of a vehicle upon a street or highway, upon meeting or overtaking from front or rear any school bus which has stopped on the street or highway for the purpose of receiving or discharging any school child or children, shall stop the vehicle not less than 20 feet from the bus when the bus is stopped and is displaying an extended stop arm and flashing red signals and shall remain stopped until the school bus driver retracts the stop signal arm and extinguishes the flashing red signals. Every school bus with a seating capacity in excess of 16 persons shall be equipped with a stop signal arm, prewarning flashing amber signals and red signals. The stop signal arm shall be used in conjunction with the red signals only when the school bus is stopped on a street or highway for the purpose of receiving or discharging any school child or children.

Subd. 2. Loading and Unloading Passengers; Use of Signals.

- (a) Drivers of the school bus with a capacity of more than 16 persons shall actuate the prewarning flashing amber signals of the bus before stopping to load or unload a school child or children

at least 100 feet when operating within this municipality and, upon stopping for such purpose, such drivers shall extend the stop signal arm and extinguish the flashing red signals until loading or unloading is completed and persons who must cross the street or highway are safely across.

- (b) School bus drivers shall not actuate the pre-warning flashing amber signals or flashing red signals:
 - (1) In special school bus loading areas where the bus is entirely off the traveled portion of the street or highway;
 - (2) In residence or business districts of this municipality except when directed by the local school administrator;
 - (3) When a school bus is being used on a street or highway for purposes other than the actual transportation of school children to or from school or a school approved activity, in which event the words "school bus" on the front and rear of the bus shall be removed or completely concealed; and
 - (4) At railroad grade crossings.
- (c) Where school children must cross the road before boarding or after being discharged from the bus, the driver of a school bus or a school bus patrol may supervise such crossings making use of the standard school patrol flag or signal as approved and prescribed by the Commissioner of Public Safety. When children are alighting from a school bus, and not crossing the road, the driver shall visually ascertain that alighting children shall be a safe distance from the bus before moving the bus.
- (d) Vehicles having a seating capacity of 16 or fewer persons shall load or unload school children only from the right-hand side of the vehicle except on a one-way street such vehicle shall load or unload school children only from the curb side of the vehicle.

Subd. 3. Sign on Bus. This Section shall be applicable only in the event the school bus shall bear upon the front and rear thereof a plainly visible sign containing the words "school bus" in letters not less than eight inches in height, which shall be removed or covered when the vehicle is not in use as a school bus.

Subd. 4. Separated Roadways. The driver of a vehicle upon a highway with separated roadways need not stop upon meeting or passing a school bus which is upon a different roadway. A separated roadway shall mean a road which is separated from a parallel road by a safety isle or safety zone.

Subd. 5. Maximum Speed. The operator of the school bus shall not exceed the speed of 50 miles per hour on a regular school bus route, and shall not exceed, in any event, any other applicable speed limits.

Subd. 6. Passenger Capacity. The number of pupils or other authorized passengers transported in or assigned to a school bus shall not be more than the number of pupils or passengers that can be seated. Seating capacity shall be adjusted according to passenger's individual physical size, but not to exceed manufacturers' rated seating capacity, and no person shall stand when the bus is in motion.

Subd. 7. Color. Any new school bus purchased for delivery after June 1, 1973, for use in this municipality as a school bus with a seating capacity in excess of 16 persons shall be of a uniform color, national school bus glossy yellow. Any school bus substantially repainted after June 1, 1973, shall be painted national school bus glossy yellow.

Subd. 8. Vehicles Used as Other Than School Buses. A vehicle which is no longer used as a school bus shall not be operated on a street or highway unless it is painted a color other than that required by law for school buses, and all school bus related equipment and printing shall be removed from said vehicles. Violation of this subdivision is a penal offense.

Subd. 9. Seat Belts. New school buses purchased after the effective date hereof shall be equipped with driver seat belts and seat belt assemblies of the type described in Minnesota Statutes Section 700:169.685, Subdivision 3. All drivers shall be required to use these seat belts.

Subd. 10. Approved Flashing Signals; System of Operation. Flashing prewarning amber signals and flashing red signals shall be of a type approved by the Commissioner of Public Safety. Such signals shall be a complete system meeting minimum standards as prescribed by State Board of Education rules and regulations.

Subd. 11. Recapped Tires. Recapped tires shall not be used on the front wheels of a school bus.

Section 700:169.451. School Bus Inspection.

Subd. 2. No person shall drive, or no owner shall knowingly permit or cause to be driven, any school bus unless there is displayed thereon a certificate issued by the Commissioner of Public Safety stating that on a certain date, which shall be within seven months of the date of operation, a member of the Minnesota Highway Patrol inspected the bus and found that on the date of inspection the bus complied with the provisions of State law relating to construction, design, equipment, and color.

Section 700:169.46. Hitching Behind Vehicles. No person shall hitch a tobaggan, hand sled, bicycle or other similar device onto any motor vehicle, street car or trackless trolley car while being used on a highway.

Section 700:169.47. Unsafe Equipment.

Subd. 1. It is a petty offense for any person to drive or for the owner to cause or knowingly permit to be driven on any highway any vehicle or combination of vehicles which is in such unsafe condition as to endanger

any person or which does not contain those parts or is not at all times equipped with such lamps and other equipment in proper condition and adjustment as required in this Chapter or which is equipped in any manner in violation of this Chapter or for any person to do any act forbidden or fail to perform any act required under this Chapter.

The provisions of this Chapter with respect to equipment on vehicles shall not apply to implements of husbandry, road machinery, road rollers, or farm tractors, except as herein made applicable. For purposes of this Section, a specialized vehicle resembling a low-slung two wheel trailer having a short bed or platform shall be deemed to be an implement of husbandry; provided, however, that no such vehicle shall operate on the highway before sunrise or after sunset unless proper lighting is affixed to the implement being drawn.

Section 700:169.471. Television.

Subd. 1. Installation. No television screen shall be installed or used in any motor vehicle at any point forward of the back of the driver's seat, or which is visible to the driver while operating the motor vehicle.

Section 700:169.48. Vehicle Lighting. Every vehicle upon a street or highway within this municipality, at any time from a half hour after sunset to a half hour before sunrise and at any other time when there is not sufficient light to render clearly discernible persons and vehicles on the highway at a distance of 500 feet ahead, shall display lighted lamps and illuminating devices, as hereinafter, respectively required for different classes of vehicles, subject to exceptions with respect to parked vehicles, as hereinafter stated.

In addition to the other requirements of this paragraph, every school bus transporting children upon a street or highway within this municipality, at any time from a half hour before sunrise to a half hour after sunset, shall display lighted lamps and illuminating devices as required by this paragraph, except that the operator shall use the lowermost distribution of light specified in Section 700:169.60, unless conditions warrant otherwise.

When requirement is hereinafter declared as to the distance from which certain lamps and devices shall render objects visible or with which such lamps or devices shall be visible, these provisions shall apply during the time stated in this Section upon a straight level unlighted street or highway under normal atmospheric conditions unless a different time or condition is expressly stated and unless otherwise specified, the location of lamps and devices shall refer to the centers of such lamps or devices.

Section 700:169.49. Headlamps. Every motor vehicle, other than a motorcycle, shall be equipped with at least two head lamps with at least one on each side of the front of the motor vehicle, which head lamps shall comply with the requirements and limitations set forth in Sections 700:169.47 to 700:169.79. Every motorcycle shall be equipped with at least one and not more than two headlamps, which shall comply with the requirements and limitations of Sections 700:169.47 to 700:169.79.

Section 700:169.50. Rear Lamps.

Subd. 1. Requirements. Every motor vehicle and every vehicle which is

being drawn at the end of a train of vehicles shall be equipped with at least two tail lamps, mounted on the rear, on the same level as widely spaced laterally as practicable, exhibiting a red light plainly visible from a distance of 500 feet to the rear.

Subd. 2. License Plates. Either such rear lamp or separate lamp shall be so constructed and placed as to illuminate with a white light the rear registration plate and render it legible from a distance of 50 feet to the rear. Any rear lamp or rear lamps, together with any separate lamp for illuminating the rear registration plate, shall be so wired as to be lighted whenever the head lamps or auxiliary driving lamps are lighted.

Subd. 3. Reflectors. Each motor vehicle, trailer, or semi-trailer, hereinafter operated on a highway, shall carry at the rear either as a part of the rear lamp, or separately, at least two reflectors. These reflectors shall be of a type approved by the Commissioner of Public Safety and shall be mounted as close as is practicable to the extreme edges of the vehicle at a height not more than 60, nor less than 20, inches above the surface upon which the vehicle stands. Each such reflector shall be so designed and maintained as to be visible at night from all distances within 300 to 50 feet from the vehicle, except that on a commercial vehicle the reflectors shall be visible from all distances within 500 to 50 feet from the vehicle, when directly in front of a motor vehicle displaying lawfully lighted head lamps.

Section 700:169.51. Clearance and Marker Lamps. Every motor vehicle or motor drawn vehicle designed or used for the transportation of property, or for the transportation of passengers for compensation, shall display lighted lamps, as required in this Section.

Every such vehicle having a width, including load thereon, at any part in excess of 80 inches shall be equipped with four clearance lamps, two located on the front at opposite sides and not more than six inches from the extreme outer edge of the vehicle or load, displaying a white or amber light visible from a distance of 500 feet to the front of the vehicle, and two located on the rear on opposite sides not more than six inches from the extreme outer edge of the vehicle or load, displaying a red light visible from a distance of 500 feet to the rear of the vehicle. The front clearance lamps shall be located at a height of not less than 24 inches above the head lamp centers. The rear clearance lamps shall be in addition to the red rear lamp hereinbefore required.

Every such vehicle or combination of such vehicles which exceeds 30 feet in overall length shall be equipped with at least four side marker lamps, one on each side near the front and one on each side near the rear. Such lamps shall be at a height of not less than 24 inches above the surface upon which the vehicle stands. The lamps near the front shall display a white or amber light and the lamps near the rear shall display a red light, each visible from a distance of 500 feet to the side of the vehicle on which it is located. If the clearance lamps on the right and left sides of the vehicle, as hereinbefore required, display lights visible from a distance of 500 feet at right angles to the right and left side, respectively, of the vehicle, they shall be deemed to meet the requirements as to marker lamps, provided an additional marker lamp, white or amber, is displayed approximately midway between the above specified marker lamps.

Section 700:169.52. Projecting Loads, Lights and Flags. When the load upon any vehicle extends to the rear four feet or more beyond the bed or body of such vehicle there shall be displayed at the extreme rear end of the load, at the times when lighted lamps on vehicles are required in this Chapter, a red light or lantern plainly visible from a distance of at least 500 feet to the sides and rear. The light or lantern required under this Section shall be in addition to the rear light required upon every vehicle. At any time when no lights are required there shall be displayed at the extreme rear end of such load a red, yellow or orange flag or cloth not less than 16 inches square.

Section 700:169.522. Slow Moving Vehicles, Signs Required.

Subd. 1. All animal-drawn vehicles, implements of husbandry and other machinery, including all road construction machinery which are designed for operation at a speed of 25 miles per hour or less and are traveling on a street or highway in this municipality at such speed of 25 miles per hour or less, shall display a triangular slow moving vehicle emblem, except when being used in actual construction and maintenance work and traveling within the limits of a construction area which is marked in accordance with requirements of the manual of uniform traffic control devices, as set forth in Minnesota Statutes, Section 169.06. Such emblem shall be mounted according to standards and specifications adopted by the Commissioner of Public Safety for the design and position of mounting the slow moving vehicle emblem and shall be visible from a distance of not less than 500 feet to the rear. When a primary power unit, towing an implement of husbandry or other machinery displays a slow moving vehicle emblem visible from a distance of 500 feet to the rear, it shall not be necessary to display a similar emblem on the secondary unit. A violation of this Section shall not be admissible evidence in any civil cause of action arising prior to January 1, 1970.

Subd. 2. The use of this emblem shall be restricted to the slow moving vehicles specified in Subdivision 1 and its use on any other type of vehicle or stationary object on the highway is prohibited.

Subd. 3. No person shall sell, lease, rent, or operate any slow moving vehicle, as defined in Subdivision 1, except those units designed to be completely mounted on a primary power unit, which is manufactured or assembled on or after July 1, 1967, unless such vehicle is equipped with a slow moving vehicle emblem mounting device as specified in Subdivision 1. Provided, however, no slow moving vehicle shall be operated without such slow moving vehicle emblem after January 1, 1968.

Section 700:169.53. Lights for Parked Vehicles. When a vehicle is parked or stopped upon a highway or shoulder adjacent thereto during the times when lighted lamps on vehicles are required, it shall be equipped with one or more such lamps which shall exhibit a white or amber light on the roadway side visible from a distance of 500 feet to the front of the vehicle and a red light visible from a distance of 500 feet to the rear, except that no lights need be displayed upon a vehicle when stopped or parked in accordance with parking regulations upon a street or highway where there is sufficient light to clearly reveal any person or object within a distance of 500 feet upon the street or highway. Any lighted head lamps upon a parked vehicle shall be depressed or dimmed.

Section 700:169.55. Lights on all Vehicles.

Subd. 1. At the times when lighted lamps on vehicles are required, each vehicle including an animal-drawn vehicle and any vehicle specifically excepted in Sections 700:169.47 to 700:169.79, with respect to equipment and not hereinbefore specifically required to be equipped with lamps, shall be equipped with one or more lighted lamps or lanterns projecting a white light visible from a distance of 500 feet to the front of the vehicle and with a lamp or lantern exhibiting a red light visible from a distance of 500 feet to the rear, except that reflectors meeting the maximum requirements of this Chapter may be used in lieu of the lights required in this Subdivision. It shall be unlawful to project a white light to the rear of any such vehicle while traveling on any street or highway, unless such vehicle is moving in reverse.

Subd. 2. At the times when lighted lamps on vehicles are required.

(1) every farm tractor and self-propelled unit of farm equipment shall be equipped with at least one lamp displaying a white or amber light to the front, and at least one lamp displaying a red light to the rear; (2) every self-propelled unit of farm equipment shall also display two red reflectors, each at least 15 square inches in area, visible to the rear; (3) every combination of a self-propelled and towed unit of farm equipment shall be equipped with at least one lamp mounted to indicate as nearly as practicable the extreme left projection of the combination and displaying a white or amber light to the front and a red light to the rear; (4) the last unit of every combination of farm equipment shall display two red reflectors, each at least 15 square inches in area, visible to the rear.

Section 700:169.56. Auxiliary Lights.

Subd. 1. Spot Lights. Any motor vehicle may be equipped with not to exceed two spot lamps and every lighted spot lamp shall be so aimed and used upon approaching another vehicle that no part of the high intensity portion of the beam will be directed on the road surface to the left of the center of the vehicle, nor more than 100 feet ahead of the vehicle upon which such lamps are mounted.

Subd. 2. Fog Lights. Any motor vehicle may be equipped with not to exceed two fog lamps mounted on the front at a height not less than 12 inches nor more than 30 inches above the level surface upon which the vehicle stands and so aimed that when the vehicle is not loaded none of the high-intensity portion of the light to the left of the center of the vehicle shall at a distance of 24 feet ahead project higher than a level of four inches below the level of the center of the lamp from which it comes. Lighted fog lamps meeting the above requirements may be used with lower headlamp beams as specified in Section 700:169.60.

Subd. 3. Auxiliary Passing Lights. Any motor vehicle may be equipped with not to exceed two auxiliary passing lamps mounted on the front at a height of not less than 24 inches nor more than 42 inches above the level surface upon which the vehicle stands. The provisions of Section 700:169.60 shall apply to any combination of headlamps and auxiliary passing lamps.

Subd. 4. Auxiliary Driving Lights. Any motor vehicle may be equipped with not to exceed two auxiliary driving lamps mounted on the front at a height not less than 16 inches nor more than 42 inches above the level surface upon which the vehicle stands. The provisions of Section 700:169.60 shall apply to any combination of headlamps and auxiliary driving lamps.

Section 700:169.57. Vehicle Signals.

Subd. 1. Stop Lamps.

- (a) Any vehicle may be equipped and when required under this Chapter shall be equipped with at least two stop lamps on the rear which shall emit a red or yellow light and which shall be actuated upon application of the service (foot) brake and which may, but need not be, incorporated with a tail lamp and which shall be plainly visible and understandable from a distance of 100 feet to the rear during normal sunlight and at night.
- (b) No person shall sell or offer for sale or operate on the streets or highways any motor vehicle registered in this State and manufactured or assembled after January 1, 1960, unless it is equipped with at least two stop lamps meeting the requirements of this Subdivision, except that a motorcycle, motor-driven cycle, or truck tractor manufactured or assembled after said date shall be equipped with at least one stop lamp meeting the requirements of this Subdivision.

Subd. 2. Turn Signal.

- (a) Any vehicle may be equipped, and when required under this Chapter shall be equipped, with a lamp or lamps or mechanical signal device of such color as may be approved by the Commissioner of Public Safety and capable of clearly indicating any intention to turn either to the right or to the left and shall be visible and understandable during both daytime and nighttime from a distance of 100 feet both to the front and rear.
- (b) It shall be unlawful for any person to sell or offer for sale any new motor vehicle, excepting motorcycles, motor scooters and bicycles with motor attached, unless it is equipped with turn signals meeting the requirements of this Chapter.

Subd. 3. Maintenance.

- (a) When a vehicle is equipped with stop lamps or signal lamps, such lamps shall at all times be maintained in good working condition.
- (b) No stop lamps or signal lamp shall project a glaring or dazzling light.
- (c) All mechanical signal devices shall be self-illuminated when in use at the times when lighted lamps on vehicles are required.

Section 700:169.58. Identification Lamps.

Subd. 1. Any vehicle or combination of vehicles having a width including load thereon at any part in excess of 80 inches or which exceeds 30 feet in over-all length may be equipped with identification lamps on the front displaying three white or amber lights and identification lights on the rear displaying three red lights, and when so equipped the lights in each such group shall be evenly spaced not less than six, nor more than 12 inches apart, along a horizontal line as near to the top of the vehicle as practicable and these lights shall be visible from a distance of 500 feet to the front and rear, respectively, of the vehicle.

Subd. 2. Any motor vehicle operated by an active member of the volunteer fire department of this municipality or a member of a department authorized by or contracting with any city, village, borough, town, or township in this State and upon obtaining a permit therefor from the Commissioner of Public Safety may be equipped with a lamp emitting a red light to the front of such vehicle. The lens of such lamp shall be not more than three inches in diameter. Such lamp shall be lighted only when the member of the volunteer fire department is responding to an emergency call in connection with his duties as a volunteer fireman. Volunteer firemen may apply for such a permit upon application properly certified by the Fire Chief, and it shall be the duty of the Chief of the volunteer fire department of this municipality to notify the Commissioner immediately upon the termination of such membership.

Section 700:169.59. Warning Lights.

Subd. 1. Fender Lights. Any vehicle may be equipped with not more than two side cowl or fender lamps, one on each side which shall emit a white light without glare.

Subd. 2. Running-board Lights. Any vehicle may be equipped with not more than one running-board courtesy lamp on each side thereof, which shall emit a white or yellow light without glare.

Subd. 3. Back-Up Lights. Any vehicle may be equipped with not more than two back-up lamps, either separately or in combination with another lamp, except that no such back-up lamp shall be continuously lighted when the vehicle is in forward motion, nor shall it project a glaring light.

Subd. 4. Flashing Warning Lights. Any vehicle may be equipped with lamps which may be used for the purpose of warning the operators of other vehicles of the presence of a vehicular traffic hazard requiring the exercise of unusual care in approaching, overtaking or passing and when so equipped may display such warning in addition to any other warning signals required by this act. The lamps used to display such warnings to the front shall be mounted at the same level and as widely spaced laterally as practicable, and shall show simultaneously flashing white or amber lights, or any shade of color between white and amber. The lamps used to display such warnings to the rear shall be mounted at the same level and as widely spaced laterally as practicable and shall show simultaneously flashing amber or red lights, or any shade of color between amber and red. These warning lights shall be visible from a distance of not less than 500 feet under normal atmospheric conditions at night.

Section 700:169.60. Distribution of Light. Except as hereinafter provided, the head lamps, or the auxiliary driving lamps, or combinations thereof, on motor vehicles shall be so arranged that the driver may select at will between distributions of light projected to different elevations, subject to the following requirements and limitations:

- (1) There shall be an uppermost distribution of light, or composite beam, so aimed and of such intensity as to reveal persons and vehicles at a distance of at least 350 feet ahead for all conditions of loading;
- (2) There shall be a lowermost distribution of light, or composite beam, so aimed and of sufficient intensity to reveal persons and vehicles at a distance of at least 100 feet ahead and on a straight level road under any conditions of loading none of the high intensity portion of the beam shall be directed to strike the eyes of an approaching driver;
- (3) All road lighting equipment shall be so arranged that when any beam is used which is not in conformity with clause (2) of this Section, means shall be provided for indicating to the driver when such beams are being used.

Section 700:169.61. Composite Beams. When a motor vehicle is being operated on a street or highway or shoulder adjacent thereto during the times when lighted lamps on vehicles are required in this Chapter, the driver shall use a distribution of light, or composite beam, directed high enough and of sufficient intensity to reveal persons and vehicles at a safe distance in advance of the vehicle, subject to the following requirements and limitations:

When the driver of a vehicle approaches a vehicle within 1000 feet, such driver shall use a distribution of light, or composite beam, so aimed that the glaring rays are not projected into the eyes of the oncoming driver.

When the driver of a vehicle follows another vehicle within 200 feet to the rear, except when engaged in the act of overtaking and passing, such driver shall use a distribution of light permissible under this Chapter other than the uppermost distribution of light specified in Section 700:169.60.

Section 700:169.62. Certain Lights Permitted on Certain Motor Vehicles. Head lamps arranged to provide a single distribution of light not supplemented by auxiliary driving lamps shall be permitted on motor vehicles manufactured and sold prior to January 1, 1938, in lieu of multiple-beam road lighting equipment herein specified if the single distribution of light complies with the following requirements and limitations:

- (1) The head lamps shall be so aimed that when the vehicle is fully loaded none of the high intensity portion of the lamp beam rises above a horizontal plane passing through the head lamp centers parallel to the level surface upon which the vehicle stands, and in no case higher than 42 inches above the level on which the vehicle stands, at a distance of 75 feet or more ahead.
- (2) The intensity shall be sufficient to reveal persons and vehicles at a distance of at least 200 feet.

Section 700:169.63. Numbers of Lamps. At all times when lighted lamps on vehicles are required in this Chapter, at least two lighted head lamps shall be displayed, one on each side at the front of every motor vehicle, other than a motorcycle; provided, that under adverse weather conditions two auxiliary lamps, one on each side at the front of the vehicle, may be used in lieu of two lighted head lamps, except when such vehicle is parked subject to the regulations governing lights on parked vehicles.

When a motor vehicle equipped with head lamps, as herein required, is also equipped with any auxiliary lamps, spot lamps or any other lamps on the front thereof projecting a beam of intensity greater than 300 candle power, not more than a total of four of any such lamps on the front of a vehicle shall be lighted at any one time when upon a highway.

The maximum beam candle power from any combination of lamps used at any time for road lighting shall not exceed that authorized by the Commissioner of Public Safety.

Section 700:169.64. Prohibited Lights.

Subd. 1. Bright Lights. Any lighted lamp or illuminating device upon a motor vehicle, other than a head lamp, a spot lamp, or an auxiliary driving lamp, which projects a beam of light of an intensity greater than 300 candle power, shall be so directed that no part of the beam will strike the level of the roadway on which the vehicle stands at a distance of more than 75 feet from the vehicle.

Subd. 2. Colored Lights. Unless otherwise authorized by the Commissioner of Public Safety, no vehicle shall be equipped, nor shall any person drive or move any vehicle or equipment upon any highway with any lamp or device displaying a red light or any colored light other than those required or permitted in this Chapter.

Subd. 3. Flashing Lights. Flashing lights are prohibited except on an authorized emergency vehicle, school bus, road maintenance equipment, farm tractors, self propelled farm equipment, or on any vehicle as a means of indicating a right turn or a left turn or the presence of a vehicular traffic hazard requiring unusual care in approaching, overtaking or passing. All flashing warning lights on farm tractors or self-propelled farm equipment shall be subject to the provisions of Section 700:169.59, Subd. 4.

Subd. 4. Blue Lights. Blue lights are prohibited on all vehicles except road maintenance equipment operated by or under contract to the State or political subdivision thereof.

Subd. 5. Flashing Red Light on Wrecker. A device displaying a flashing or intermittent red light of a type approved by the Commissioner of Public Safety for that purpose, and in accordance with Section 700:169.64, may be used on a wrecker while engaged in emergency service at the scene of an accident. Such flashing red light shall not be displayed while traveling upon the highway or at any time other than at the scene of an accident.

Section 700:169.65. Specifications for Lighting Devices. No person shall have for sale, sell, or offer for sale for use upon or as a part of the equipment of a vehicle, trailer or semi-trailer, or use upon any such vehicle, any head lamp, auxiliary driving lamp, rear lamp, signal lamp, spot lamp, clearance lamp, marker lamp or reflector, or parts of any of the foregoing, unless of a type which has been submitted to the Commissioner of Public Safety and approved by him.

No person shall have for sale, sell, or offer for sale for use upon or as a part of the equipment of a vehicle, trailer or semi-trailer, or bicycle, any lamp or device mentioned in this Section, which has been approved by the Commissioner of Public Safety unless such lamp or device bears thereon the trademark or name and model designation all permanently marked under which it is approved so as to be legible when installed.

No person shall use upon any vehicle, trailer or semi-trailer or bicycle any lamps mentioned in this Section unless such lamps are equipped with bulbs of a type approved by the Commissioner of Public Safety having a rated candle power, and are mounted and adjusted as to focus and aim in accordance with instructions of the Commissioner of Public Safety. No person shall sell for use or use on any vehicle any reconverted lamp or any device redesigned for a use other than for which it was originally approved unless authorized by the Commissioner of Public Safety.

Section 700:169.67. Brakes. Subd. 1. Motor Vehicles. Every motor vehicle, other than a motorcycle, when operated upon a street or highway, shall be equipped with brakes adequate to control the movement of and to stop and hold such vehicle, meeting in all respects the requirements of Minnesota Statutes, Section 169.67. All brakes shall be maintained in good working order and shall be so adjusted as to operate as equally as practicable with respect to the wheels on opposite sides of the vehicle.

Subd. 2. Motorcycles and Bicycles. Every motorcycle and bicycle, with motor attached, when operated upon a highway, shall be equipped with at least one brake which may be operated by hand or foot.

Section 700:169.672. Brake Fluid, Commissioner's Approval Required. No person shall have for sale, sell or offer for use in motor vehicle brake systems in this State any hydraulic brake fluid unless of a type and brand approved by the Commissioner of Public Safety.

Section 700:169.68. Horns. Every motor vehicle when operated upon a street or highway shall be equipped with a horn in good working order and capable of emitting sound audible under normal conditions from a distance of not less than 200 feet, but no horn or other warning device shall emit an unreasonably loud or harsh sound or a whistle. The driver of a motor vehicle shall, when reasonably necessary to insure safe operation, give audible warning with his horn, but shall not otherwise use such horn when upon a highway.

No vehicle shall be equipped with, nor shall any person use upon a vehicle any siren, whistle, or bell, except as otherwise permitted in this Section. It is permissible, but not required, that any commercial vehicle be equipped with a theft alarm system device which is so arranged that it cannot be used by the driver as an ordinary warning signal. All authorized emergency vehicles shall be equipped with a siren capable of emitting sound audible under normal conditions from a distance of not less than 500 feet and of a type approved by the Department of Public Safety, but such siren shall not be used except

when such vehicle is operated in response to an emergency call or in the immediate pursuit of an actual or suspected violator of the law, in which latter events the driver of such vehicle shall sound the siren when necessary to warn pedestrians and other drivers of the approach thereof.

Section 700:169.685. Seat Belts.

Subd. 1. All new motor vehicles, not exempt from Minnesota license fees, other than a bus, school bus, motorcycle, farm tractor, road tractor, and truck sold or offered for sale or registered in Minnesota, shall be equipped to permit the installation of seat belts in the front seat thereof.

Subd. 2. Within 30 days after the registration of such motor vehicle, it shall be equipped with seat belts installed for use in the left front and right front seats thereof.

Subd. 3. The specifications and requirements for seat belt assemblies shall conform with the minimum standards for seat belts or seat belt assemblies established by the State of Minnesota.

Subd. 4. Proof of the use or failure to use seat belts, or proof of the installation or failure of installation of seat belts shall not be admissible in evidence in any litigation involving personal injuries or property damage resulting from the use or operation of any motor vehicle.

Section 700:169.69. Mufflers. Every motor vehicle shall at all times be equipped with a muffler in good working order which blends the exhaust noise into the overall vehicle noise and is in constant operation to prevent excessive or unusual noise, and no person shall use a muffler cutout, by-pass, or similar device upon a motor vehicle on a street or highway. The exhaust system shall not emit or produce a sharp popping or crackling sound. Every motor vehicle shall at all times be equipped with such parts and equipment so arranged and kept in such state of repair as to prevent carbon monoxide gas from entering the interior of the vehicle.

No person shall have for sale, sell or offer for sale or use on any motor vehicle any muffler that fails to comply with the specifications as required by the Commissioner of Public Safety.

Section 700:169.691. Motor Vehicle Noise Limits.

Subd. 1. No person shall operate either a motor vehicle or combination of vehicles of a type subject to registration at any time or under any condition of grade, load, acceleration or deceleration in such a manner as to exceed the following noise limit for the category of motor vehicle based on a distance of 50 feet from the center of the lane of travel within the speed limits specified in this Section:

	Speed limit of 35 mph or less	Speed limit of more than 35 mph
(1) Any motor vehicle with a manufacturer's gross vehicle weight rating of 6,000 pounds or more, any combination of vehicles towed by such motor vehicle, and any motorcycle:		
(a) Before January 1, 1975	88dba	90dba

	Speed limit of 35 mph or less	Speed limit of more than 35 mph
(b) On and after January 1, 1975 . . .	86dba	90dba
(2) Any other motor vehicle and any combina- tion of vehicles towed by such motor vehicle	82dba	86dba

Subd. 2. Test Procedures. All tests, test procedures, and testing equipment shall comply with Department of Public Safety regulations establishing the test procedures and instrumentation to be utilized for testing noise limits.

Subd. 3. This Section applies to the total noise from a vehicle or combination of vehicles and shall not be construed as limiting or precluding the enforcement of any other provisions of law relating to motor vehicle exhaust noise.

Subd. 4. For the purpose of this Section, a truck, truck tractor, or bus that is not equipped with an identification plate or marking bearing the manufacturer's name and manufacturer's gross vehicle weight rating shall be considered as having a manufacturer's gross vehicle weight rating of 6,000 pounds or more if the unloaded weight is more than 5,000 pounds.

Section 700:169.692. New Motor Vehicle Noise Limits.

Subd. 1. No person shall sell or offer for sale a new motor vehicle which produces a maximum noise exceeding the following noise limit at a distance of 50 feet from the centerline of travel under test procedures established by the Department of Public Safety:

- (1) Any motorcycle manufactured before January 1, 1972 . . . 92 dbA
- (2) Any motorcycle manufactured on or after January 1,
1972 and before January 1, 1973 88 dbA
- (3) Any motorcycle manufactured on or after January 1, 1973. 86 dbA
- (4) Any motor vehicle with a gross vehicle weight rating
of 6,000 pounds or more manufactured on or after
January 1, 1972, and before January 1, 1975 88 dbA
- (5) Any motor vehicle with a gross vehicle weight rating
of 6,000 pounds or more manufactured on or after
January 1, 1975 86 dbA
- (6) Any other motor vehicle manufactured on or after
January 1, 1972, and before January 1, 1975 86 dbA
- (7) Any other motor vehicle manufactured after January 1,
1975 84 dbA

Subd. 2. All tests, test procedures and equipment shall comply with regulations established by the Department of Public Safety for testing noise limits.

Section 700:169.70. Rear View Mirrors. Every motor vehicle which is so constructed, loaded or connected with another vehicle as to obstruct the driver's view to the rear thereof from the driver's position shall be equipped with a mirror so located as to reflect to the driver a view of the highway for a distance of at least 200 feet to the rear of such vehicle.

Section 700:169.71. Windshields.

Subd. 1. No person shall drive or operate any motor vehicle with a windshield cracked or discolored to an extent to limit or obstruct proper vision, or with any objects suspended between the driver and the windshield, other than sun visors and rear vision mirrors, or with any sign, poster or other non-transparent material upon the front windshield, sidewings, side or rear windows of such vehicle, other than a certificate or other paper required to be so displayed by law, or authorized by the State Director of Civil Defense, or Commissioner of Public Safety.

Subd. 2. The windshield on every motor vehicle shall be equipped with a device for cleaning rain, snow or other moisture from the windshield, which device shall be so constructed as to be controlled or operated by the driver of the vehicle.

Subd. 3. No person shall drive any motor vehicle with the windshield or front side windows covered with steam or frost to such an extent as to prevent proper vision.

Section 700:169.72. Surface of Tires; Tires with Metal Studs.

Subd. 1. Every solid rubber tire on a vehicle shall have rubber on its entire traction surface at least one inch thick above the edge of the flange of the entire periphery.

No person shall operate or move on any street or highway any motor vehicle, trailer or semi-trailer, having any metal tire in contact with the roadway, except in case of emergency.

Except as provided in this Section, no tire on a vehicle moved on a street or highway shall have on its periphery any block, stud, flange, cleat, or spike or any other protuberances of any material other than rubber which projects beyond the tread of the traction surface of the tire. It shall be permissible to use any of the following on highways: farm machinery with tires having protuberances which will not injure the highway, and tire chains of reasonable proportions upon any vehicle when required for safety because of snow, ice, or other conditions tending to cause a vehicle to skid. The Council may, within the corporate limits of this municipality and the Commissioner and local authorities in their respective jurisdictions may, in their discretion, issue special permits authorizing the operation upon a street or highway of traction engines or tractors having moveable tracks with transverse corrugations upon the periphery of such movable tracks or farm tractors or other farm machinery, the operation of which upon a highway would otherwise be prohibited under

this Chapter, provided, however, that the use of tires with wire embedded therein, approved by the Commissioner of Highways pursuant to Chapter 378, Laws of 1973, Minnesota Statutes, Section 169.72, Subd. 3, shall not be unlawful.

Section 700:169.73. Motor Vehicles; Bumpers, Safeguards.

Subd. 1. As used in this Section "private passenger automobile" means a four wheeled motor vehicle designed principally for carrying passengers not for hire on public streets and highways, and not designed principally as a dwelling or for camping.

Subd. 2. All motor vehicles shall be equipped with front and rear bumpers or with front bumpers and with rear reflectors, as herein provided, and all trailers and semi-trailers weighing more than 1,500 pounds shall be equipped with rear bumpers or with rear reflectors, as herein provided. Such bumpers shall be securely attached to the frame thereof, and shall extend beyond the extreme front and rear points, respectively, of such vehicles. The center point of such bumpers shall be not more than 20, nor less than 14 inches from the ground when the vehicle is unloaded, provided that two rigid cross-bars may be attached to any bumper to extend it so that it will reach into a point within the required height from the ground, provided further, however, that bumpers on all private passenger automobiles manufactured and sold after August 1, 1973, shall be of substantial construction, and that the center point of such bumpers shall be 14 to 20 inches from the ground when the vehicle is unloaded and the vertical measurement of such bumpers shall not be less than six inches. All trucks and trailers manufactured and sold after July 1, 1955, having a rear platform or tailboard more than 20 inches above the ground, except public utility trailers used for hauling reels of cable or wire, pole trucks, dump trucks, and farm trucks as defined in Minnesota Statutes, Section 168.011, Subdivision 17, are required when operating upon the streets or highways in this municipality, to have rigid rear safeguards, so constructed as to prevent any part of another motor vehicle from penetrating the area immediately below such rear platform or tailboard, when such tailboard is in a vertical position.

Section 700:169.733. Wheel Flaps on Trucks and Trailers. Every truck, trailer and semi-trailer, excepting pole trailers and rear-end sump trucks, shall be provided with wheel flaps or other suitable protection above and behind the rearmost wheels of the vehicle or combination of vehicles to prevent as far as practicable, such wheels from throwing dirt, water or other materials on the windshields of vehicles which follow. Such flaps or protectors shall have a ground clearance of not more than one-fifth of the horizontal distance from the center of the rearmost axle to the flap under any conditions of loading or operation of the motor vehicle and shall be at least as wide as the tires they are protecting.

If the motor vehicle is so designed and constructed that the above requirements are accomplished by means of body construction or other means of enclosure, then no such protectors or flaps shall be required. If the rear wheels are not covered at the top by fenders, body or other parts of the vehicle, the flap or other protective means shall be extended at least to a point directly above the center of the rearmost axle.

Lamps or wiring shall not be attached to fender flaps.

Section 700:169.74. Safety Glass.

Subd. 1. Required. No person shall sell any new motor vehicle, unless the vehicle is equipped with safety glass wherever glass is used in doors, windows and windshields.

Subd. 2. Definition. "Safety Glass" means any product composed of glass, or other material, as may be approved by the Commissioner of Public Safety as safety glass.

Subd. 3. Replacements. All glass replacements in doors, windows and windshields or partitions of motor vehicles shall be made with materials meeting the requirements of this Chapter for safety glass if glass is used therefor.

Subd. 4. Other Material Prohibited. No glazing material other than of a type meeting the requirements of this Chapter shall be sold, offered for sale, offered for use or used for installation in doors, windows or windshields of motor vehicles or of passenger carrying trailers or semi-trailers.

Subd. 5. Frostshields. Nothing in this Section shall be construed to include frostshields.

Section 700:169.743. Bug Deflectors. Bug deflectors shall be permitted, but not required on motor vehicles. No bug deflector shall be sold, offered for sale or used which exceeds 50 square inches in area or which is composed of other than a non-illuminated, transparent material.

Section 700:169.75. Flares and Flags.

Subd. 1. Three Flares. No person shall operate any passenger bus, motor truck or truck tractor or any motor vehicle towing a house trailer at any location upon an interstate highway or freeway or upon any other highway outside of a business or residence district at any time from a half hour after sunset to a half hour before sunrise, unless there shall be carried in such vehicle the following equipment except as otherwise provided in Subdivision 2:

At least three flares, three red electric lanterns, or three portable red reflector devices, each of which shall be capable of being seen and distinguished at a distance of 500 feet under normal atmospheric conditions at nighttime.

Subd. 2. Inflammables. No person shall at any time operate a motor vehicle transporting inflammable liquids in bulk or compressed inflammable gases as cargo or part of cargo upon a highway unless it carries three electric lanterns or three portable reflector units to be used in lieu of flares and no open burning flares shall be carried on or placed adjacent to such vehicle.

Subd. 3. Three Flags. No person shall operate any motor truck, truck tractor or passenger bus or any motor vehicle towing a house trailer at

any location upon any interstate highway or freeway or upon any other highway outside of a business or residence district unless there shall be carried in such vehicle at least three red, yellow or orange flags not less than 12 inches square which shall be displayed at any time from one-half hour before sunrise to one-half hour after sunset under circumstances which would require the use of warning lights at night and in the manner and position governing the use of warning lights as prescribed in Subdivision 5.

Subd. 4. Approved Type. Every flare, lantern, signal, or reflector required in this Section shall be of a type approved by the Commissioner of Public Safety.

Subd. 5. When Used. When any motor truck, truck tractor or passenger bus or any motor vehicle towing a house trailer, or any vehicle towed by one of the foregoing motor vehicles, is disabled upon the roadway or shoulder at any location upon an interstate highway or freeway, or upon any other highway outside of a business or residence district during the period when lighted lamps must be displayed on vehicles and such motor vehicle cannot immediately be removed from the main traveled portion of the highway or from the shoulder, the driver or other person in charge of the vehicle shall promptly cause flares, lanterns or other signals to be lighted and placed as warning lights upon the highway, one at the traffic side of the standing vehicle approximately ten feet rearward or forward thereof in the direction of greatest hazard to traffic, one at a distance of approximately 100 feet to the rear of the vehicle in the center of the lane occupied by such vehicle, and one at a distance of approximately 100 feet to the front of the vehicle in the center of the traffic lane occupied by such vehicle, except:

- (a) If disablement of any vehicle occurs within 500 feet of a curve, crest of a hill or other obstruction to view, the driver or other person in charge shall so place the warning signal in that direction so as to offer ample warning to other users of the highway, but in no case less than 100 feet nor more than 500 feet from the disabled vehicle;
- (b) If disablement of the vehicle occurs upon the roadway or shoulder of any one-way roadway of any highway, the driver shall place one warning signal at the traffic side of the vehicle not more than ten feet to the rear of the vehicle, one placed 100 feet to the rear of the vehicle in the center of the lane occupied by the standing vehicle, and one such signal at a distance of approximately 200 feet to the rear of the vehicle.

Section 700:169.751. Definitions. For the purposes of Sections 700:169.751 to 700:169.754, the following words shall have the meaning ascribed to them in this Section:

- (a) First Aid Equipment shall mean equipment for the purpose of rendering first aid to sick or injured persons as prescribed by the Department of Public Safety for its highway patrol vehicles, such equipment to include materials for the application of splints to fractures.

- (b) Patrol Motor Vehicles shall mean the highway patrol motor vehicles used in law enforcement of the State Highway Department, the county sheriffs and the Police Department of this municipality.

Section 700:169.752. Patrol Motor Vehicles, First Aid Equipment. Every patrol motor vehicle shall be equipped with and carry first aid equipment.

Section 700:169.753. Law Enforcement Officers, Trained to Use First Aid Equipment. Law enforcement officers operating patrol motor vehicles shall be trained in the use and application of first aid equipment.

Section 700:169.755. Handicapped Drivers, Distress Signals.

Subd. 1. Physically handicapped drivers and handicapped owners of motor vehicles are authorized when getting into and out of such vehicles, or when in motor vehicle distress, to display a white flag of approximately seven and one-half inches in width and thirteen inches in length, with the letter "H" thereon in red color with an irregular one-half inch red border. Said flag shall be of reflective material so as to be readily discernible under darkened conditions.

Subd. 3. Any person who is not physically handicapped who uses the above mentioned flag as a distress signal or for any other purpose, or any other person who violates any provision of this Section shall be guilty of a penal offense.

Subd. 4. "Physically handicapped" as employed herein shall include any person who has sustained an amputation or material disability of either or both arms or of either or both legs, or who has been otherwise disabled in any manner rendering it difficult and burdensome for him to walk.

Section 700:169.76. Explosives. Any person operating any vehicle transporting any explosives and other dangerous objects as a cargo or part of a cargo upon a street or highway shall at all times comply with the provisions of this Section and all regulations issued by the Commissioner for the protection of the public. The vehicle shall be marked or placarded on each side and the rear with the word "Explosives" in letters not less than eight inches high, and shall be equipped with fire extinguishers of a type and number approved by the Commissioner of Public Safety, filled and ready for immediate use and placed at a convenient point on the vehicle so used.

Section 700:169.79. Vehicle Registration. No person shall operate or drive or park a motor vehicle on any street or highway unless such vehicle shall have been registered in accordance with the laws of the State of Minnesota and shall have the number plates for the current year only, as assigned to it by the Registrar of Motor Vehicles, conspicuously displayed thereon in such manner that the view thereof shall not be obstructed. If the vehicle be a motorcycle, motor scooter, motorized bicycle, motorcycle sidecar, trailer, or semi-trailer, one such plate shall be displayed on the rear thereof; if it be any other kind of motor vehicle one such plate shall be displayed on the front and one on the rear thereof; securely fastened so as to prevent the same from swinging. It shall be the duty of the person driving the motor vehicle to keep the plate legible and unobstructed and free from grease, dust, or other blurring material so that the lettering thereon shall be plainly visible at all times.

Section 700:169.80. Size, Weight, Load.

Subd. 1. Limitations. It is a penal offense for any person to operate, drive or move, or for the owner to cause or knowingly permit to be operated, driven or moved, on any street or highway any vehicle or vehicles of a size or weight exceeding the limitations stated in Minnesota Statutes, Sections 169.80 to 169.88, or otherwise in violation of Minnesota Statutes, Sections 169.80 to 169.88, and the maximum size and weight of vehicles therein specified shall be lawful throughout this municipality.

When all the axles of a vehicle or combination of vehicles are weighed separately the sum of the weights of the axles so weighed shall be evidence of the total gross weight of the vehicle or combination of vehicles so weighed.

When each of the axles of any group that contains two or more consecutive axles of a vehicle or combination of vehicles have been weighed separately the sum of the weights of the axles so weighed shall be evidence of the total gross weight on the group of axles so weighed.

When, in any group of three or more consecutive axles of a vehicle or combination of vehicles any axles have been weighed separately and two or more axles consecutive to each other in said group have been weighed together, the sum of the weights of the axles weighed separately and the axles weighed together shall be evidence of the total gross weight of the group of axles so weighed.

The provisions of said Minnesota Statutes, Sections 169.80 to 169.88 governing size, weight, and load shall not apply to fire apparatus, or to implements of husbandry temporarily moved upon a street or highway, or to loads of loose hay or corn stalks if transported by a horsedrawn vehicle or drawn by a farm tractor, or to a vehicle operated under the terms of a special permit issued as herein provided, and a specialized vehicle resembling a low-slung two wheel trailer having a short bed or platform shall be deemed to be an implement of husbandry when such vehicle is used exclusively to transport implements of husbandry; and the term "temporarily moved upon a highway" shall mean a move not to exceed 50 miles.

Subd. 2. Outside Width. The total outside width of any vehicle or the load thereon shall not exceed eight feet except that the outside width of a farm tractor shall not exceed twelve feet, and except as otherwise provided in this Section.

The total outside width of a trackless trolley car or passenger motor bus, operated exclusively in this municipality or contiguous cities or villages, shall not exceed nine feet.

The total outside width of loads of forest products when loaded crossways shall not exceed 100 inches, provided the load is securely bound with a chain attached to front and rear of the loading platform of the vehicle so as to hold the load securely in place.

Subd. 2A. Width of Certain Inter-City Buses. The foregoing provisions of this Section notwithstanding, an inter-city bus operated under authority of the Interstate Commerce Commission may be eight and one-half feet in width when operated on certain highways, designated by the Commissioner for such operation. The Commissioner, with respect to highways under his jurisdiction, may designate certain highways within this municipality for the operation of such inter-city buses upon the following conditions:

- (a) Highways designated by the Commissioner shall be limited to the national system of interstate and defense highways and four lane and six lane highways. Further, portions of the State trunk highway system may be designated for such operation for the purpose of directly connecting segments of the national system of interstate and defense highways and four lane and six lane highways; provided, however, that on two lane highways so designated for connection, the traffic lane shall not be less than twelve feet in width.
- (b) The Commissioner is authorized to prescribe conditions for operation of such inter-city buses when necessary to assure against undue damage to the road foundations, surfaces or structures.

No highways shall be so designated by the Commissioner prior to a time when buses of such width are permitted on the national system of interstate and defense highways.

Subd. 3. Load on Passenger Vehicles. No passenger type vehicle shall be operated on any street or highway with any load carried thereon extending beyond the line of the fenders on the left side of such vehicle nor extending more than six inches beyond the line of the fenders on the right side thereof.

Section 700:169.81. Height and Length Limitation.

Subd. 1. Height. No vehicle unladen or with load shall exceed a height of 13 feet, six inches.

Subd. 2. Length. No motor vehicle unladen or with load shall exceed a length of 40 feet extreme overall dimensions, inclusive of front and rear bumpers. A truck tractor and semi-trailer shall be regarded as a combination of vehicles for the purpose of determining lawful length.

Subd. 3. Length of Combination. No combination of vehicles coupled together unladen or with load, including truck trailers and semi-trailers, shall consist of more than two units and no such combination of vehicles shall exceed a total length of 55 feet, provided that this limitation shall not apply to the transportation of telegraph poles, telephone poles, electric light and power poles or piling, or pole length pulpwood, and subject to the following further exceptions: Said length limitations shall not apply to (1) vehicle when transporting pipe, or other objects by a public utility when required for emergency or repair of public service facilities or when operated under special permits as provided in this Subdivision, but in respect to night transportation every such vehicle and the load thereon shall be equipped with a sufficient

number of clearance lamps and marker lamps on both sides and upon the extreme ends of any projecting load to clearly mark the dimensions of such load; (2) house trailers or mobile homes when coupled with a motor vehicle, but such combination shall not exceed 55 feet in length, provided further that two vehicles in transit by the drive-away method in saddle mount combinations may be drawn, but such combination may not exceed 55 feet in length. The State, as to State trunk highways, and the Council as to streets and highways under its jurisdiction and within the corporate limits of this municipality, may issue permits authorizing the transportation of combinations of vehicles exceeding the limitations herein contained as set forth in Section 700:169.861.

Subd. 4. Projecting Loads. The load upon any vehicle operated alone, or the load upon the front vehicle of a combination of vehicles, shall not extend more than three feet beyond the front wheels of such vehicle or the front bumper of such vehicle if it is equipped with such bumper.

Subd. 5. Manner of Loading. No vehicle shall be driven or moved on any street or highway unless such vehicle is so constructed or loaded or the load securely covered as to prevent any of its load from dropping, sifting, leaking, or otherwise escaping therefrom, except that sand may be dropped for the purpose of securing traction, or water or other substances may be sprinkled on a roadway in cleaning or maintaining such roadway. This Subdivision shall not apply to motor vehicles operated by a farmer or his agent transporting produce he has produced.

Section 700:169.82. Trailer Equipment. Any trailer exceeding a gross weight of 6,000 pounds shall be equipped with brakes adequate to stop and hold such trailer, and which are so constructed that they will so operate whenever such trailer becomes detached from the towing vehicle.

When one vehicle is towing another, the draw-bar or other connection shall be of sufficient strength to pull all weight towed thereby, and said draw-bar or other connection shall not exceed 15 feet from one vehicle to the other except the connection between any two vehicles transporting poles, pipe, machinery or other objects of structural nature which cannot readily be dismembered.

When one vehicle is towing another and the connection consists of a chain, rope or cable, there shall be displayed upon such connection a white, red, yellow or orange flag or cloth not less than 12 inches square.

Every trailer or semi-trailer shall be hitched to the motor vehicles furnishing the tractive power for it by a device approved by the Commissioner of Public Safety as safe and in addition shall be equipped with safety chains permanently attached to the trailer except that where the coupling device is a regulation fifth wheel and king pin assembly approved by the Commissioner of Public Safety such safety chains shall not be required. In towing, such chains shall be carried through a ring on the tow-bar and attached to the towing vehicle, and shall be of sufficient strength to control the trailer in event of failure of the towing device.

Section 700:169.83. Weight Limitations.

Subd. 1. Pneumatic Tired Vehicles. No vehicle or combination of vehicles equipped with pneumatic tires shall be operated upon the streets or highways of this municipality:

- (1) Where the gross weight on any wheel exceeds 9,000 pounds;
- (2) Where the gross weight on any single axle exceeds 18,000 pounds.

In all cases where gross weights in an amount less than in this Subdivision set forth are fixed, limited or restricted on any highway or bridge by or pursuant to any other Section of this Chapter, such lesser gross weight as so fixed, limited or restricted shall not be exceeded and in such case shall control instead of the gross weights in this Subdivision set forth.

Subd. 1A. Single Wheel Defined. For the purposes of Subdivision 1, Clause 1, two or more wheels less than 48 inches apart on an axle shall be deemed a single wheel; provided that two or more wheels less than 48 inches apart on an axle in operation and registered in this State on November 13, 1971, shall be counted as separate wheels.

Subd. 2. Gross Weight Schedule. No vehicle or combination of vehicles equipped with pneumatic tires shall be operated upon the highways of this municipality where the total gross weight on any group of two or more consecutive axles of any vehicle or combination of vehicles exceeds that given in the following table for the distance between the centers of the first and last axles of any group of two or more consecutive axles under consideration; the distance between axles being measured longitudinally to the nearest even foot, and when the measurement is a fraction of exactly one-half foot the next largest whole number in feet shall be used except that when the distance between axles is more than three feet four inches and less than three feet six inches, the distance of four feet shall be used:

Maximum gross weight in pounds on a group of

Distances in feet between centers of foremost and rearmost axles of a group	2 consecutive axles of a 2-axle vehicle or of any vehicle or combination of vehicles having a total of 3 or more axles	3 consecutive axles of a 3-axle vehicle or of any vehicle or combination of vehicles having a total of 3 or more axles	4 consecutive axles of any combination of vehicles having a total of 4 or more axles
4	32,000	.....	.....
5	32,000	.....	.....
6	32,000	.....	.....
7	32,000	37,000	.....
8	33,000	38,500	.....
9	34,000	39,900	.....
10	35,000	41,200	42,500
11	36,000	42,400	44,300
12	.....	43,500	46,000
13	.....	44,500	47,600
14	.....	45,500	49,100
15	.....	46,500	50,500
16	.....	47,500	51,800
17	.....	48,500	53,000
18	.....	49,500	54,000
19	.....	50,500	54,500
20	.....	52,200	55,500
21	.....	52,900	56,000
22	.....	53,600	56,500
23	.....	54,000	57,500
24	.....	.....	58,000
25	.....	.....	58,500
26	.....	.....	59,500
27	.....	.....	60,000
28	.....	.....	60,500
29	.....	.....	61,500
30	.....	.....	62,500
31	.....	.....	63,500
32	.....	.....	64,000

Notwithstanding the provisions of Section 700:169.85, the gross vehicle weight of all axles of a vehicle or combination of vehicles shall not exceed 73,280 pounds, and the gross weight on any tandem axle shall not exceed 32,000 pounds.

Subd. 2A. Combined Vehicles, Consecutive Axle Weight. For the purposes of the gross weight table in Subdivision 2, the maximum gross weight in pounds of a group of four consecutive axles of any combination of vehicles having a total of four or more axles shall also apply to four consecutive axles of any vehicle, and no vehicle alone, nor any vehicle of a combination of vehicles, shall be equipped with more than four axles; provided that the limitation on the number of axles as herein provided shall not apply to any vehicle operated under permit pursuant to Section 169.86 of Minnesota Statutes, or Section 700:169.86 of this code.

Subd. 3. Single Axle. A single axle as used in this Section is defined as including all wheels whose centers may be included within two parallel transverse vertical planes 40 inches apart. In no event shall the front steering axle of any motor vehicle or combination of vehicles equipped with pneumatic tires exceed a gross weight of 18,000 pounds.

Subd. 5. Vehicles Not Equipped with Pneumatic Tires. A vehicle or combination of vehicles not equipped with pneumatic tires shall be governed by the provisions of Subdivision 1, 2 and 3, except that the gross weight limitations shall be reduced by 40 per cent.

Section 700:169.831. Refuse Compactor Collector Vehicles, Weight Limits. The weight limitation of 18,000 pounds on a single axle, 32,000 pounds on a tandem axle, and 73,280 pounds on all axles, as provided in Section 700:169.83, Subdivisions 1 and 2, do not apply to a rear loading refuse compactor collection vehicle used solely for transporting solid waste on streets and highways designated for such transportation by the Board of County Commissioners of this County or the Council of this municipality. The gross weight on a compactor collection vehicle transporting solid waste on such designated streets and highways shall not exceed 22,000 pounds on a single axle, 40,000 pounds on both axles, 32,000 pounds on a tandem axle, and 50,000 pounds on three axles. This provision shall not apply on interstate highways where prohibited by Federal law.

Section 700:169.84. Load Limit on Bridges. Subject to the limitations upon wheel and axle loads prescribed in this Chapter, the gross weight of any vehicle or combination of vehicles driven onto or over a bridge of any highway shall not exceed the safe capacity of the bridge, as may be indicated by warning posted on the bridge or the approaches thereto.

Section 700:169.85. Weighing. Any police officer having reason to believe that the weight of a vehicle and load is unlawful is authorized to require the driver to stop and submit to a weighing of the same either by means of portable or stationary scales, and may require that such vehicle be driven to the nearest public scales in the event such scales are within five miles.

When an officer, upon weighing a vehicle and load, as above provided, determines that the weight on any axle exceeds the lawful gross weight as prescribed by Section 700:169.83, by 2,000 pounds or more, or when the weight on any group of two or more consecutive axles in cases where the distance between the centers of the first and last axles of the group under consideration is ten feet or less exceeds the lawful gross weight as prescribed by Section 700:169.83, by 4,000 pounds or more and in all cases when the weight is unlawful on any axle or group of consecutive axles on any road restricted in accordance with Section 700:169.87, he may require the driver to stop the vehicle in a suitable place and remain standing until such portion of the load is removed as may be necessary to reduce the gross weight of such vehicle to such limit as permitted under this Chapter. All material so unloaded shall be cared for by the owner or driver of such vehicle at the risk of such owner or driver.

Any driver of a vehicle who fails or refuses to stop and submit the vehicle and load to a weighing, or who fails or refuses, when directed by an officer upon a weighing of the vehicle, to stop the vehicle and otherwise comply with the provisions of this Section, shall be guilty of a penal offense.

Section 700:169.86. Special Permits.

Subd. 1. Applying For. The Engineer or Administrator may, in their discretion, upon application in writing and good cause being shown therefor, issue a special permit, in writing, authorizing the applicant to move a vehicle or combination of vehicles of a size or weight of vehicle or load exceeding the maximum specified in this Chapter, or otherwise not in conformity with the provisions of this Chapter, upon any street or highway in this municipality, under its jurisdiction and for which this municipality is responsible for maintenance. Such permits relating to over-width, over-length mobile homes shall not be issued to persons other than mobile home dealers for movement of new units owned by the mobile home dealer, without such person first presenting a statement from the county auditor and treasurer where the unit is presently located, stating all personal and real property taxes have been paid. This statement must be dated within 30 days of the contemplated move.

Subd. 2. Required Information. The application for any such permit shall specifically describe the vehicle or vehicles and loads to be moved and the particular streets or highways for which permit to so use is requested, and the period of time for which such permit is requested.

Subd. 3. Discretion to Issue or Withhold; Conditions of Operation; Liability Insurance. The Clerk or Administrator is authorized to issue or withhold such permit at his discretion; or, if such permit is issued, to limit or prescribe conditions of operation of such vehicle or vehicles, when necessary to assure against undue damage to the road foundations, surfaces or structures, and may require such undertaking or other security as may be deemed necessary to compensate for any injury or damage to any roadway or road structure, and in addition may require that the operator or owner of such vehicle or vehicles have in effect with respect to the operation of such vehicle or vehicles a policy of liability insurance or bond affording substantially the same coverage with respect to injury to persons and damage to property as is required for proof of financial responsibility under the safety responsibility act.

Subd. 4. Display and Inspection of Permit. Every such permit shall be carried in the vehicle or combination of vehicles to which it refers and shall be open to inspection by any police officer or authorized agent of this municipality and no person shall violate any of the terms or conditions of such special permit.

Subd. 5. Fees. Fees in the amount duly established by the Council from time to time shall be paid at the time of application and until otherwise set by the Council shall be \$5.00.

Section 700:169.861. Permits for Certain Combinations.

Subd. 1. Applications. In the event the Commissioner shall issue an annual permit to enable a combination of vehicles between 55 and 65 feet in length to operate on the public highways, the permit shall entitle the combination of vehicles to operate only on divided highways having four or more lanes of travel, and on such other highways in this municipality as may be designated by the Commissioner of Highways subject to Minnesota Statutes, Section 169.87, Subdivision 1, and provided those certain streets and highways under the jurisdiction of this municipality and within its corporate limits have been approved by the Council for

the purpose of providing access between such divided highways of four or more lanes of travel and truck terminals and marshalling yards or for the purpose of providing continuity of route. All vehicles operated under the provisions of this Section shall conform to the standards for such vehicles as prescribed by the United States Department of Transportation, Federal Highway Administration, Bureau of Motor Carrier Safety, and as may be amended.

Subd. 2. Display. Such permit issued by the Commissioner shall be displayed on the left side of the truck-tractor of the combination of vehicles, in the immediate vicinity of the painted, printed, stenciled, or decalcomanic, numbering showing the gross registered weight of the combination of vehicles.

Section 700:169.87. Seasonal Load Restrictions; Designation of Truck Routes.

Subd. 1. The Council may prohibit the operation of vehicles upon any streets or highway within the corporate limits of this municipality and under its jurisdiction or impose restrictions as to the weight of vehicles to be operated upon any such highway, whenever any such highway, by reason of deterioration, rain, snow, or other climatic conditions, will be seriously damaged or destroyed unless the use of vehicles thereon is prohibited or the permissible weights thereof reduced. When the Council enacts any such prohibition or restriction, it shall erect or cause to be erected and maintained signs plainly indicating the prohibition or restriction at each end of that portion of any highway affected thereby, and the prohibition or restriction shall not be effective unless and until such signs are erected and maintained.

The Council with respect to streets or highways under its jurisdiction hereby prohibits the operation of all trucks or other commercial vehicles, and any in excess of its imposed limitations as to the weight thereof, which prohibitions and limitations shall be designated by appropriate signs placed on such streets or highways pursuant to this ordinance and specific designation by resolution or motion.

When the Council petitions the Commissioner to establish a truck route for travel into, through, or out of the territory under its jurisdiction, the Commissioner shall investigate the matter. If the Commissioner determines from his investigation that the operation of trucks into, through, or out of the territory involves unusual hazards because of any or all of the following factors: load carried, type of truck used, or topographic or weather conditions, the Commissioner may make his order designating certain highways under his jurisdiction as truck routes into, through, or out of such territory. When these highways have been marked as truck routes pursuant to the order, trucks traveling into, through, or out of the territory shall comply with the order and any person violating such requirements shall be guilty of a penal offense.

In an emergency, the Chief of Police, the Engineer, or Administrator may temporarily prohibit the operation of vehicles upon any public street in this municipality or impose further restrictions as to the weight of vehicles to be operated upon said street, whenever such street by reason of deterioration, rain, snow or other climatic conditions will be seriously damaged or destroyed unless the use of vehicles thereon is prohibited, or the permissible weights therein are reduced. The Engineer,

Chief of Police, or the Administrator are hereby authorized and directed in such emergency to erect, or cause to be erected and maintain signs plainly indicating the prohibition or restriction at each end of that portion of any street affected thereby, and the prohibition or restriction shall not be effective unless and until such signs are erected and maintained.

Subd. 3. School Buses. Weight restrictions imposed pursuant to Subdivision 1 do not apply to a school bus transporting students when the gross weight on a single axle of the school bus does not exceed 14,000 pounds; provided that the Council may restrict any highway under its jurisdiction to a lesser school bus axle weight by written order to school boards 24 hours in advance of required compliance with such reduced axle weight.

Section 700:169.88. Damages, Liability. Any person driving any vehicle, object, or contrivance upon any street or highway or street or highway structure shall be liable for all damage which may be caused thereto as a result of any illegal operation, driving, or moving of such vehicle, object or contrivance, or as a result of operation, driving or moving any vehicle, object or contrivance weighing in excess of the maximum weight in this Chapter, but authorized by a special permit issued as provided in Sections 169.80 to 169.88 of Minnesota Statutes.

When such driver is not the owner of such vehicle, object, or contrivance, but is so operating, driving, or moving the same with the express or implied permission of the owner, then the owner and driver shall be jointly and severally liable for any such damage.

Any person who by his wilful acts or failure to exercise due care, damages any road, street or highway, or street or highway structure shall be liable for the amount thereof.

Damages under this Section may be recovered in a civil action brought by the authorities in control of such street or highway or street or highway structure.

Section 700:169.89. Penalties.

Subd. 1. Violation. Unless otherwise declared in this Chapter VII. with respect to particular offenses, it is a petty offense for any person to do any act forbidden or fail to perform any act required by this Chapter; except that: (a) a violation which is committed in a manner or under circumstances so as to endanger or be likely to endanger any person or property; or (b) exclusive of violations relating to the standing or parking of an unattended vehicle, a violation of any of the provisions of this Chapter VII. and the Highway Traffic Regulation Acts, classified therein as a petty misdemeanor under State traffic laws or a petty offense under this Chapter VII., when preceded by two or more convictions within the immediate preceding 12 months period; is a penal offense to which the provisions of Subdivision 2 of this Section shall not apply.

Subd. 2. Penalty; Jury Trial. A person charged with a petty offense shall not be entitled to a jury trial but shall be tried by a judge without a jury. If convicted, he shall be punished by a fine of not more than \$100.00.

Subd. 4. Driver's Record. When a person is arrested for a violation of any provision of this Chapter, or other ordinance of this municipality regulating traffic, the court before whom the matter is heard shall determine the driver's record of the person from the Commissioner of Public Safety before pronouncing sentence.

Subd. 5. Driver Improvement Clinics. In conjunction with or in lieu of other penalties provided by law for violation of this Chapter or other ordinances of this municipality regulating traffic, the trial court may in its judgment of conviction order the convicted person to attend and satisfactorily complete a course of study at an approved driver improvement clinic, established pursuant to Minnesota Statutes Sections 169.971 through 169.973. The Commissioner of Public Safety may, upon his own motion or upon recommendation of the court, suspend, for a period of not to exceed 30 days, the operator's license or permit or nonresident operating privilege of any person who fails or refuses to comply with an order to attend a driver improvement clinic. The requirements of attendance at a driver improvement clinic is not a fine, imprisonment or sentence within the meaning of Laws 1963, Chapter 753, Article I, Section 609.02. The court may not order a convicted person to attend a driver improvement clinic which is located more than 35 miles from the person's residence. For the purposes of this Section, "an approved driver improvement clinic" means a clinic whose curriculum and mode of instruction conform to standards promulgated by the Commissioner of Public Safety.

Section 700:169.891. Jurisdiction; Limitation of Actions.

Subd. 1. Courts having jurisdiction over misdemeanors and petty misdemeanors under State traffic laws shall have jurisdiction over penal offenses and petty offenses under this Chapter VII.

Subd. 2. The period for commencing an action against any person for a petty offense or penal offense hereunder shall be the same as that for a misdemeanor under State law.

Section 700:169.90. Offenses.

Subd. 1. Every person who commits or attempts to commit, conspires to commit, or aids or abets in the commission of, any act declared herein to be an offense, whether individually or in connection with one or more other persons or as principal, agent, or accessory, shall be guilty of such offense, and every person who falsely, fraudulently, forcibly, or wilfully induces, causes, coerces, requires, permits, or directs another to violate any provision of this Chapter, is likewise guilty of such offense.

Subd. 2. It is unlawful for the owner, or any other person, employing or otherwise directing the driver of any vehicle to require or knowingly to permit the operation of such vehicle upon a street or highway in any manner contrary to law.

Section 700:169.901. Employment of Intemperate Drivers. No person owning or having control of a coach or vehicle traveling upon any road for the conveyance of passengers shall employ any person to drive the same who is addicted to the excessive use of intoxicating liquors.

Every person who violates any provision of this Section 700:169.901, shall forfeit for each offense such sum as the court shall fix, not exceeding \$50.00 and be liable to any party injured for all damages sustained by reason of such offense; provided, that complaint for such violation be made within three months, and every action for damages shall be begun within one year thereafter.

Section 700:169.94. Record of Conviction.

Subd. 1. Not Admissible as Evidence. No record of the conviction of any person for any violation of this Chapter shall be admissible as evidence in any court in any civil action.

Subd. 2. Not to Affect Credibility as Witness. The conviction of a person upon a charge of violating any provision of this Chapter or other traffic regulation less than a felony, shall not affect or impair the credibility of such person as a witness in any civil or criminal proceeding.

Section 700:169.96. Interpretation and Effect. This Chapter shall be interpreted and construed as to effectuate its general purpose to make uniform the ordinances of this municipality and the laws of the State of Minnesota.

In all civil actions, a violation of any of the provisions of this Chapter, by either or any of the parties to such action or actions shall not be negligence per se but shall be prima facie evidence of negligence only.

Section 700 - (Continued) Driver's Licenses

Section 700:171.01. Definitions.

Subd. 1. Words, Terms and Phrases. Unless the language or context clearly indicates that a different meaning is intended, the following words, terms, and phrases, for the purposes of this Chapter, shall be given the meanings subjoined to them.

Subd. 2. Vehicle. Every device in, upon or by which any person or property is or may be transported or drawn upon a street or highway, excepting devices moved by human power or used exclusively upon stationary rails or tracks.

Subd. 3. Motor Vehicles. Every vehicle which is self-propelled and any vehicle propelled or drawn by a self-propelled vehicle, and not deriving its power from overhead wires, except snowmobiles.

Subd. 4. Farm Tractor. Every motor vehicle designed and used primarily as a farm implement for drawing plows, mowing machines and other implements of husbandry.

Subd. 5. Person. Every natural person, firm, co-partnership, association, or corporation.

Subd. 6. Driver. Every person who drives or is in actual physical control of a motor vehicle.

Subd. 8. Owner. Any person who holds the legal title to a vehicle, or in the event a vehicle is the subject of an agreement for the conditional sale or lease thereof with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee, or in the event a mortgagor of a vehicle is entitled to possession, then such conditional vendee or lessee or mortgagor shall be deemed the owner for the purposes of this Chapter.

Subd. 9. Non-Resident. Every person who is not a resident of the State of Minnesota.

Subd. 10. Street or Highway. The entire width between property lines of every way or place of whatever nature when any part thereof is open to the use of the public, as a matter of right, for the purpose of vehicular traffic within the corporate limits or boundaries of this municipality.

Subd. 11. Commissioner. The Commissioner of Public Safety of the State of Minnesota, acting directly or through his duly authorized agents.

Subd. 12. Department. The Department of Public Safety of the State of Minnesota, acting directly or through its duly authorized officers or agents.

Subd. 13. Conviction. The term "conviction" means a final conviction either after trial or upon a plea of guilty; also a forfeiture of cash or collateral deposited to guarantee a defendant's appearance in court, which forfeiture has not been vacated, or a breach of a condition of release without bail, is equivalent to a conviction.

Subd. 14. License. "License" means any operator's license or any other license or permit to operate a motor vehicle issued or issuable under the laws of this State by the Commissioner of Public Safety, including:

- (a) Any temporary license or instruction permit;
- (b) The privilege of any person to drive a motor vehicle whether or not such person holds a valid license;
- (c) Any non-resident's operating privilege as defined herein.

Subd. 15. State. "State" means any state, territory or possession of the United States, the District of Columbia, the Commonwealth of Puerto Rico or any province of the Dominion of Canada.

Subd. 16. Gross Vehicle Weight (GVW). "Gross vehicle weight (GVW)" means the weight of the vehicle plus the weight of the load thereon or the registered gross weight of the vehicle whichever is greater.

Subd. 17. Motorcycle. "Motorcycle" means every motor vehicle having a saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground, including motor scooters and bicycles with motor attached, but excluding a tractor.

Subd. 18. (a) House Trailer. "House Trailer" means any trailer or semi-trailer designed and used for human living quarters, and meeting all of the following qualifications:

- (1) Is not used as the residence of the owner or occupant;
- (2) Is used for temporary living quarters by the owner or occupant while engaged in recreational or vacation activities;
- (3) Is towed on the public streets or highways incidental to such recreational or vacation activities.

The term "house trailer" shall not include bunkhouses, so called, temporarily mounted on trailers, and mobile homes. Such bunkhouses, exclusive of the trailer and mobile homes, shall be listed and taxed as personal property as provided by law.

- (b) Mobile Home. "Mobile Home" means any trailer or semitrailer which is designed, constructed, and equipped for use as a human dwelling place, living abode, or living quarters except house trailers.

Subd. 19. Bus. "Bus" means every motor vehicle designed for carrying more than ten passengers and used for the transportation of persons, and every motor vehicle other than a taxicab designed and used for the transportation of persons for compensation.

Section 700:171.02. License; Surrender of Other Licenses.

Subd. 1. No person, except those hereinafter expressly exempted, shall drive any motor vehicle upon any street or highway in this municipality, unless such person has a license valid under the provisions of Chapter 171, Minnesota Statutes for the type or class of vehicle being driven. No person shall have in his possession such a Minnesota driver's license and at the same time have a driver's license in his possession as issued to him by any other jurisdiction. No person shall have in his possession or issued to him more than one such Minnesota driver's license at any time.

Subd. 2. Driver's licenses shall be classified according to the types of vehicles which may be driven by the holder of each type or class of license as the Commissioner may issue, classified accordingly. No class of license shall be valid to operate a motorcycle or school bus unless so endorsed. There shall be three general classes of licenses as follows:

- (a) Class C; valid for all farm trucks as defined in Minnesota Statutes, Section 168.011, Subdivision 17, operated by the owner of an immediate member of his family or an employee not primarily employed for the purpose of operating the farm truck, fire trucks and emergency fire equipment, regardless of the number of axles, and whether or not in excess of 24,000 pounds GVW, driven or operated by a volunteer fireman on duty, and all single unit two axle vehicles not in excess of 24,000 pounds GVW including vehicles with a temporary auxiliary axle as defined in Minnesota Statutes, Section 169.67, Subdivision 4. Holder may also tow trailers under 10,000 pounds GVW including house trailers. Buses as defined under this Chapter may not be driven by a holder of a Class C license.
- (b) Class B; valid for all vehicles in Class C and all other single unit vehicles including buses.
- (c) Class A; valid for any vehicle or combination thereof.

Section 700:171.03. Persons Exempt. The following persons are exempt from license requirements under this ordinance:

- (1) Any person in the employ or service of the United States Government while driving or operating a motor vehicle owned by or leased to the United States Federal Government;
- (2) Any person while driving or operating any farm tractor, or implement of husbandry temporarily operated or moved on a highway;
- (3) A non-resident who is at least 15 years of age and who has in his immediate possession a valid driver's license issued to him in his home state or country, operating a motor vehicle in this municipality only as a driver;
- (4) A non-resident who is at least 18 years of age, whose home state or country does not require the licensing of drivers, operating a

motor vehicle as a driver during a period of not more than 90 days in any calendar year if the motor vehicle so operated is duly registered for the current calendar year in the home state or country of such non-resident;

- (5) Any person who becomes a resident of the State of Minnesota and who has in his possession a valid driver's license issued to him under and pursuant to the laws of some other state or province or by military authorities of the United States, operating a motor vehicle as a driver during a period of not more than 60 days after becoming a resident of this State;
- (6) Any person operating a snowmobile as defined in Minnesota Statutes, Section 84.81.

Section 700:171.041. Restricted Licenses for Farm Work. In the event the Commissioner shall duly issue a restricted farm work license to operate a motor vehicle to a person who has attained the age of 15 years, but who is under the age of 16 years, and who, except for his age, is qualified to hold a driver's license, solely for the purpose of authorizing the person to whom the restricted license is issued to assist his parents or guardians with the farm work, a person holding such a restricted license may operate a motor vehicle only during daylight hours and only within a radius of 20 miles of his parent's or guardian's farmhouse.

Section 700:171.05. Instruction Permits.

Subd. 1. Any person to whom the Commissioner shall duly issue an instruction permit, may drive a motor vehicle for which a Class C license is valid upon the highways for a period of six months, but such person must be accompanied by an adult licensed driver who is actually occupying a seat beside the driver. Any license of a lower class may be used as an instruction permit for a higher class for a period of one year after passage of the written test or tests required for the higher class and when the licensee is accompanied by and receiving instruction from a holder of the appropriate higher class license. A copy of the record of examination taken for the higher class license must be carried by the driver while using such lower class license as an instruction permit.

Subd. 2. Driver Education Trainee. In the event the Department issues an instruction permit to a person who is 15 years of age and who is enrolled in an approved driver education program, including behind the wheel training, such an instruction permit holder who has the permit in his possession may operate a motor vehicle while receiving behind the wheel training in an approved driver education program, but only when accompanied by an authorized instructor who occupies the seat beside him, or during and upon completion of the course while accompanied by a licensed parent or guardian who must occupy the seat beside the instruction permit holder.

Section 700:171.07. Department to Issue Licenses and Nonqualification Certificates. Every driver's license shall bear thereon a designation of the type or class of vehicle the licensee is authorized to drive, a distinguishing number assigned to the licensee by the Department, the full name, date of

birth, residence address, a description of the licensee in such manner as the Commissioner deems necessary, and a space upon which the licensee shall write his usual signature with pen and ink. No license shall be valid until it has been so signed by the licensee. Except in the case of an instruction permit, or pursuant to regulations relative to religious objections, every license shall bear thereon a colored photograph of the licensee. Every license issued to an applicant under the age of 18 shall be of a distinguishing color and plainly marked "provisional."

Section 700:171.08. Licensee to have License in Possession. Every licensee shall have his license in his immediate possession at all times when operating a motor vehicle in this municipality and shall display the same upon demand of a judge of any court having jurisdiction in this municipality, a peace officer, an authorized representative of the Department, or by an officer authorized by law to enforce the laws relating to the operation of motor vehicles on public streets and highways; however, no person charged with violating the possession requirement shall be convicted if he produces in court or the office of the arresting officer a driver's license theretofore issued to him and for the class of vehicle he was driving valid at the time of his arrest or satisfactory proof that at the time of the arrest he was validly licensed for the class of vehicle he was driving. The licensee shall also, upon request of any such officer, write his name in the presence of such officer in order that the identity of the licensee may be determined.

Section 700:171.09. Commissioner May Impose Restrictions. In the event the Commissioner shall impose restrictions suitable to the licensee's driving ability or to assure the safe operation of a motor vehicle by the licensee, it shall be unlawful for any person to operate a motor vehicle in any manner in violation of the restrictions imposed in a restricted license issued to him.

Section 700:171.10. Duplicate Licenses; Vehicle Endorsement. In the event that an instruction permit or driver's license issued by the Department is lost or destroyed, or becomes illegible, or a duplicate license has been duly endorsed with a motorcycle or school bus vehicle endorsement, the person to whom the same was issued shall obtain a duplicate thereof and such duplicate shall meet the requirements of this ordinance for licensing purposes.

Section 700:171.11. Change of Domicile or Name. When any person, after applying for or receiving a driver's license, shall change his permanent domicile from the address named in such application or in the license issued to him, or shall change his or her name by marriage or otherwise, such person shall, within 30 days thereafter, make application for a duplicate driver's license upon a form furnished by the Department.

Section 700:171.14. Cancellation. In the event the Commissioner shall cancel any driver's license upon determination that the licensee was not entitled to the issuance thereof or that the licensee failed to give the required or correct information in his application or that the licensee at the time of the cancellation would not have been entitled to receive a license under the provisions of Minnesota Statutes, Section 171.04, such person, upon cancellation of the license shall immediately surrender the license so cancelled to the Department.

Section 700:171.15. Non-Resident Permits. The privilege of driving a motor vehicle on the highways of this State given to a non-resident shall be subject to suspension or revocation by the Commissioner in like manner and for like cause as a driver's license may be suspended or revoked, and no non-resident person shall drive upon the streets or highways of this municipality after such suspension or revocation.

Section 700:171.16. Court May Recommend Suspension.

Subd. 1. Courts to Report to Commissioner. Every court, having jurisdiction over offenses committed under any ordinance of this municipality regulating the operation of motor vehicles shall forward to the Department, within ten days, a record of the conviction of any person in the court for violation of any such laws or ordinances, except parking violations and except defective vehicle equipment or vehicle size or weight violations committed by a licensed chauffeur while driving a vehicle for which a chauffeur's license is required.

Subd. 2. Commissioner Shall Suspend. The court may recommend the suspension of the driver's license of the person so convicted, and the Commissioner shall suspend such license as recommended by the court, without a hearing as provided herein.

Subd. 3. Suspension for Failure to Pay Fine. When any court reports to the Commissioner that any person: (1) has been convicted of violating any ordinance which regulates the operation or parking of motor vehicles, (2) has been sentenced to the payment of a fine only, and (3) has refused or failed to comply with that sentence and notwithstanding the fact that the court has determined such person has the ability to pay the fine, the Commissioner shall suspend the driver's license of such person for 30 days for a refusal or failure to pay, or until notified by the court that the fine has been paid.

Subd. 5. Juvenile Court. When any judge of a juvenile court, or any of its duly authorized agents, shall determine formally or informally that any person under the age of 18 years has violated any of the provisions of any ordinance of this municipality, regulating the operation of motor vehicles on streets and highways, except parking violations, such judge or duly authorized agent shall immediately report such determination to the Department and may recommend the suspension of the driver's license of such person, and the Commissioner is hereby authorized to suspend such license, without a hearing.

Section 700:171.17. Revocation. The Department shall forthwith revoke the license of any driver upon receiving a record of such driver's conviction of any of the following offenses in this municipality under the ordinances of this municipality as follows:

- (2) operating a motor vehicle while under the influence of intoxicating liquor or narcotic drug;
- (4) failure to stop and disclose identity and render aid, as required under this ordinance in the event of a motor vehicle accident resulting in the death or personal injury of another;

- (6) Conviction, plea of guilty, or forfeiture of bail not vacated, upon three charges of violating within a period of 12 months any of the provisions of this Chapter VII. for which the accused may be punished upon conviction by imprisonment.

When any judge of a juvenile court, or any of its duly authorized agents, shall determine, formally or informally, that any person under the age of 18 years has committed any offense defined in this Section, such judge, or duly authorized agent, shall immediately report such determination to the Department, and the Commissioner may revoke the license of that person.

Upon revoking the license of any person, as herein authorized, the Department shall immediately notify the licensee, in writing, by depositing in the United States post office a notice addressed to the licensee at his last known address, with postage prepaid thereon.

Section 700:171.18. Suspension. The Commissioner shall have authority to and may suspend the license of any driver without preliminary hearing upon a showing by Department records or other sufficient evidence that the licensee:

- (1) Has committed an offense under the traffic ordinances of this municipality for which mandatory revocation of license is required upon conviction; or
- (2) Has been convicted by a court of competent jurisdiction for violation of a provision of a traffic regulation ordinance of this municipality and where it appears from Department records that the violation for which he was convicted contributed in causing an accident resulting in the death or personal injury of another, or serious property damage; or
- (3) Is an habitually reckless or negligent driver of a motor vehicle;
- (4) Is an habitual violator of the traffic laws or traffic regulation ordinances of this and other municipalities; or
- (6) Has permitted an unlawful or fraudulent use of such license; or
- (8) Has committed a violation of Section 700:171.22, Clause 4.

Provided, however, that any action taken by the Commissioner under sub-paragraph (2) shall conform to the recommendation of the court when made in connection with the prosecution of the licensee.

Upon suspending the license of any person, as hereinbefore in this Section authorized, the Department shall immediately notify the licensee, in writing, by depositing in the United States post office a notice addressed to the licensee at his last known address, with postage prepaid thereon, and the licensee's written request shall afford him an opportunity for a hearing as by the laws of the State of Minnesota in such case provided. The Department shall not suspend a license for a period of more than one year for violation of the ordinances of this municipality.

Section 700:171.19. Petition for Reinstatement of Licenses. Any person whose driver's license has been refused, revoked, suspended, or canceled by the Commissioner for violation of the traffic regulation ordinances of this

municipality, may file a petition for a hearing in the matter in such manner as by the law of the State of Minnesota in such case provided.

Section 700:171.20. Licenses Must be Surrendered.

Subd. 1. Demand, Enforcement. The Commissioner, upon suspending or revoking a license, shall require that all license certificates issued to the licensee shall be surrendered to and be retained by the Department, except that at the end of a period of suspension the license certificate shall be returned to the licensee. Upon demand for surrender of a license by the Commissioner, the licensee shall immediately forward the license certificates to the Department. If any person fails to return to the Commissioner the license as provided herein, the Commissioner shall forthwith direct any peace officer to serve the order of suspension or revocation of the driver's license on such person and direct such person to surrender that license.

Subd. 2. Operation After Revocation or Suspension. Any resident or non-resident whose driver's license or right or privilege to operate a motor vehicle in this State has been suspended, revoked, or cancelled, as provided in this Chapter, shall not operate a motor vehicle in this municipality under a license, permit or registration certificate issued by any other jurisdiction or otherwise during such suspension, or after such revocation until a new license is obtained when and as permitted under State law.

Subd. 3. Driver Improvement Clinics. The Commissioner may require before re-issuing a license which has been revoked or suspended for violation of the ordinances of this municipality, that the licensee complete a course of study at an approved driver improvement clinic. The Commissioner may not require the licensee to complete such a course unless an approved driver improvement clinic is located within 35 miles of the licensee's residence. For purposes of this Section "an approved driver improvement clinic" means a clinic whose curriculum and mode of instruction conform to standards promulgated by the Commissioner.

Section 700:171.21. Copies of Records as Evidence. Copies of any of the files or records of the Department certified by the Commissioner as being true copies shall be received in evidence in any court having jurisdiction in this municipality with the same force and effect as the originals.

Section 700:171.22. Unlawful Acts. It shall be unlawful for any person within this municipality:

- (1) To display, or cause or permit to be displayed, or have in his possession, any canceled, revoked, suspended, fictitious, or fraudulently altered driver's license; or
- (2) To lend his driver's license to any other person or knowingly permit the use thereof by another; or
- (3) To display or represent as one's own any driver's license not issued to him; or

- (4) To fail or refuse to surrender to the Department, upon its lawful demand, any driver's license which has been suspended, revoked, or cancelled; or
- (5) To use a false or fictitious name or date of birth to any police officer or in any application for a driver's license, or to knowingly make a false statement, or to knowingly conceal a material fact, or otherwise commit a fraud in any such application; or
- (6) To alter any driver's license, or to counterfeit or make any fictitious license; or
- (7) To take any part of the driver's license examination for another or permit another to take the examination for him.

Section 700:171.23. Shall not Rent Motor Vehicle to Unlicensed Driver.

No person shall rent or lease a motor vehicle to any other person unless the latter person is then duly licensed hereunder, or, in the case of a non-resident, then duly licensed under the law of the state or country of his residence, except a non-resident whose home state or country does not require that a driver be licensed.

Section 700:171.24. Violations, Penal Offenses; Exceptions. Any person whose driver's license or driving privilege has been duly canceled, suspended, or revoked who disobeys such order by operating any motor vehicle, the operation of which requires a driver's license, upon the streets or highways of this municipality while such license or privilege is canceled, suspended or revoked, is guilty of a penal offense. It is a penal offense for any person to wilfully violate any of the provisions of this ordinance, Sections 700:171.01 through 700:171.39.

Section 700:171.30. Limited License.

Subd. 1. In any case where a license has been suspended under Minnesota Statutes, Sections 169.123 or 171.18 or revoked under Minnesota Statutes, Sections 169.123 or 171.17, for violation of the ordinances of this municipality, if the driver's livelihood depends upon the use of his driver's license, the Commissioner may at his own discretion and shall upon recommendation by the court excluding justices of the peace in which the driver was convicted, issue a limited license to such driver. In cases involving a suspension or revocation of a driver's license under Minnesota Statutes 1969, Section 169.123, the Commissioner shall not issue a limited license to anyone whose driver's license has been revoked under Minnesota Statutes 1969, Section 171.17, Clause (2), or under Minnesota Statutes 1969, Section 169.123, during the preceding three year period. The Commissioner in issuing such limited license may impose such conditions and limitations as in his judgment are necessary to the interests of the public safety and welfare including re-examination as to the driver's qualifications. Such license may be limited to the operation of particular vehicles, to particular classes and times of operation and to particular conditions of traffic.

The limited license issued by the Commissioner shall clearly indicate the limitations imposed and the driver operating under such limited license shall have such license in his possession at all times when operating as a driver.

In determining whether to issue a limited license, the Commissioner shall consider the number and the seriousness of the prior convictions and the entire driving record of the driver and shall consider the number of miles driven by such driver annually.

No person shall drive, operate, or be in physical control of any motor vehicle in this municipality in violation of such limitations imposed in such limited license.

Section 700:171.321. Qualifications of School Bus Drivers.

Subd. 1. No person shall drive a school bus within the corporate limits of this municipality when transporting school children to or from school or upon a school related trip or activity without having a valid Class B or Class A license with a school bus endorsement except that a person possessing a valid driver's license but not a school bus endorsement may drive a passenger automobile or station wagon used as a school bus for occasional trips but not for regular trips to and from school.

Section 700:171.322. Age Limits for Operators of Vehicles for Hire. No person under 18 years of age shall operate a motor vehicle while it is in use as a carrier of persons for hire, nor shall any person under 18 years of age drive a passenger carrying vehicle as a hired driver.

Section 700:171.33. Driver Training Schools, Definitions.

Subd. 1. "Commercial Driver Training School" or "School" means a business enterprise conducted by an individual, association, partnership or corporation, which charges a fee for the education and training of persons to drive motor vehicles or for the preparation of an applicant for a driver's license examination given by the State.

Subd. 2. "Instructor" means any person, whether acting for himself as operator of a commercial driving training school or as an employee of any such school, who teaches or supervises persons learning to drive motor vehicles or preparing to take an examination for a driver's license, and any person who supervises the work of any other instructor.

Subd. 3. "Commissioner" means the Commissioner of Public Safety.

Section 700:171.34. License for Schools Required. No commercial driver training school shall be established or operated unless such school has applied for and obtained a license from the Commissioner.

Section 700:171.35. License for Instructors Required. No person shall act as an instructor unless such person has applied for and obtained a license from the Commissioner.

Section 700:171.39. Exemptions. The provisions of Sections 700:171.33 through 700:171.35 shall not apply to any person giving driver training lessons without charge, to employers maintaining driver training schools without charge for their employees only, to schools or classes conducted by colleges, universities and high schools as part of the normal program for such institutions, nor to those schools or persons described in Minnesota Statutes,

Section 171.04, Clause (1). Any person who is a certificated driver training instructor in a high school driver training program may give driver training instruction to persons over the age of 18 without acquiring a driver training school license or instructor's license, and such instructors may make a charge for that instruction, if there is no private commercial driver training school licensed under the laws of the State of Minnesota within 10 miles of this municipality and there is no adult driver's training program in effect in the schools of the school district in which the trainee resides.